United Nations A/65/74

General Assembly

Distr.: General
27 April 2010

Original: English

Sixty-fifth session
Item 124 (a) of the preliminary list*
Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the African Union

Letter dated 12 March 2010 from the Permanent Representative of Malawi to the United Nations addressed to the President of the General Assembly

In my capacity as Representative of the current Chairman of the African Union, I have the honor to forward herewith the following documents of the African Union:

(a) Decisions, declarations and resolutions adopted by the Assembly of the African Union at its fourteenth ordinary session, held in Addis Ababa from 31 January to 2 February 2010 (annex I);

(b) Decisions adopted by the Executive Council of the African Union at its sixteenth ordinary session, held in Addis Ababa from 25 to 29 January 2010 (annex II).

I would be grateful if the present letter and its annexes could be circulated as a document of the General Assembly, under item 124 (a) of the preliminary list.

(*Signed*) Steve Dick Tennyson **Matenje**
Ambassador
Permanent Representative of Malawi to the United Nations
Representative of the current Chairman of the African Union

* A/65/50.

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Annex I to the letter dated 12 March 2010 from the Permanent Representative of Malawi to the United Nations addressed to the President of the General Assembly

(Original: English and French)

Decisions, declarations and resolutions adopted by the Assembly of the African Union at its fourteenth ordinary session

AFRICAN UNION

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ASSEMBLY OF THE AFRICAN UNION
Fourteenth Ordinary Session
31 January – 2 February 2010
Addis Ababa, ETHIOPIA

Assembly/AU/Dec.266 – 288 (XIV)
Assembly/AU/Decl.1-3 (XIV)
Assembly/AU/Res. 1-2 (XIV)

DECISIONS, DECLARATIONS AND RESOLUTIONS

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

10-33382

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DECISION ON THE REPORT OF THE PEACE AND SECURITY COUNCIL ON ITS ACTIVITIES AND THE STATE OF PEACE AND SECURITY IN AFRICA Doc. Assembly/AU/3(XVI)

The Assembly,

1. **TAKES NOTE** of the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa;

2. **RECALLS** the Tripoli Declaration on the Elimination of Conflict and the Promotion of Sustainable Peace in Africa [SP/ASSEMBLY/PS/DECL (1)] and the Plan of Action [SP/ASSEMBLY/PS/MAP], adopted at its Special Session held in Tripoli, Great Libyan Arab Jamahiriya, on 31 August 2009;

3. **WELCOMES** efforts by the African Union (AU) and the Regional Economic Communities (RECs), with the support of the international community, for the effective establishment of the continental Peace and Security Architecture, as well as for the prevention and resolution of conflicts and the consolidation of peace. The Assembly **NOTES WITH SATISFACTION** the progress made in this regard and **URGES** all stakeholders to persevere in their efforts and work towards the effective implementation of the Tripoli Plan of Action;

4. **EXPRESSES CONCERN** over the impasse in the implementation of the Maputo Agreement of 8 and 9 August 2009, and the additional Act of Addis Ababa of 6 November 2009, for the return to constitutional order in Madagascar. The Assembly **NOTES** the crisis exit proposals presented to the Malagasy Parties by the Chairperson of the Commission on 20 and 21 January 2010 in Antananarivo. The Assembly **ALSO URGES** the AU and the Southern African Development Community (SADC) to continue to work together with relevant continental, regional and international institutions in assisting the negotiation process in Madagascar;

5. **REITERATES** the importance of SADC in continuing to lead the mediation process in the country, given its regional responsibilities and comparative advantages, as well as the role of H.E. Joaquin Chissano, former President of Mozambique, as facilitator. **REQUESTS** the Peace and Security Council (PSC) to meet at the appropriate time to review the situation and take steps required, on the basis of the relevant AU instruments;

6. **WELCOMES** the continuing efforts to consolidate the national reconciliation process in The Comoros and the promotion of stability, including the holding of elections to the National Assembly and to the Councils of the three autonomous islands on 6 and 20 December 2009, and **ENCOURAGES** the Comorian parties, particularly the Union authorities, to pursue a consensual approach in the implementation of institutional reforms introduced by the new Constitution adopted by referendum on May 17 2009, in order to preserve the achievements made;

7. **REAFFIRMS** the AU's full support to the Transitional Federal Government (TFG) of Somalia and its efforts towards the implementation of the Djibouti Peace Process; **REITERATES ITS STRONG CONDEMNATION** of the continued attacks and other terrorist acts being perpetrated against the TFG, the Somali people and the African Union Mission in Somalia (AMISOM) by the armed groups bent on undermining the peace and reconciliation process, as well as the actions of Al Shabaab to deny the needy population access to humanitarian aid and services;

8. **WELCOMES** the adoption, by the United Nations (UN) Security Council on 23 December 2009, of resolution 1907(2009), which imposes sanctions on Eritrea, namely an arms embargo, travel restrictions and a freeze on the assets of political and military leaders for, among other things, providing political, financial, and logistical support to armed groups engaged in undermining peace and reconciliation in Somalia and regional stability;

9. **STRESSES** the need to pursue vigorously the effective implementation of Resolution 1907 (2009); **CALLS UPON** the UN Security Council Sanctions Committee to urgently designate the relevant Eritrean military and political leaders and other persons and entities as required, to allow for an effective sanctions regime to be implemented, and **URGES** the Security Council to speedily act on its earlier request for the imposition of a no-fly zone and the blockade of sea ports to prevent the entry into Somalia of foreign elements and the supply of logistical and other support to the insurgency;

10. **REITERATES ITS APPRECIATION** to the Troop Contributing (namely, Burundi and Uganda) and Police Contributing Countries to AMISOM, and **WELCOMES** the pledge by Djibouti to contribute forces to AMISOM, as well as the pledge by Burundi and Uganda to each deploy one additional battalion, and **REITERATES ITS CALL** to Member States to provide the troops required for AMISOM to reach its authorized strength. The Assembly **STRESSES** the need for predictable, reliable and timely provision of resources to the AU by all partners, and **REITERATES ITS CALL** to the Security Council to take the necessary steps for the United Nations to play a role commensurate with the gravity and complexity of the situation on the ground;

11. **EXPRESSES CONCERN** at the continued impasse in the peace process between Ethiopia and Eritrea and **REITERATES** the readiness of the AU to assist the two countries to overcome, through dialogue the current stalemate, normalize their relations and lay the foundation for a comprehensive and durable peace between them;

12. **REITERATES** its earlier decisions on the relations between Djibouti and Eritrea, and its grave concern at the total absence of progress regarding the implementation by Eritrea of these decisions, as well as of resolution 1862 (2009) and 1907 (2009), and **URGES** Eritrea to urgently and fully comply with the demands contained therein;

13. **WELCOMES** the remarkable progress in the peace process in Burundi, and **URGES** all Burundian parties to continue their efforts, including working to create conditions conducive to the organization and holding of general elections between May and September 2010. The Assembly **ALSO WELCOMES** the improved security situation in eastern Democratic Republic of Congo (DRC) and the continuing efforts to consolidate peace in the country and to strengthen relations between the DRC and Rwanda. The Assembly **REITERATES ITS CALL** to the international community to provide the support required for post-conflict reconstruction and peace building in Burundi and DRC, and in this respect, **WELCOMES** the Multidisciplinary Assessment Mission deployed by the AU Commission to these two countries within the framework of monitoring the implementation of relevant decisions of the PSC and the Tripoli Plan of Action;

14. **NOTES** that The Sudan will hold national elections in April 2010 and the referendum on self determination for Southern Sudan in January 2011; **REITERATES** its full support to The Sudan and hails the steps taken thus far to ensure free and fair elections. The Assembly **FURTHER NOTES** with satisfaction the progress made in the humanitarian and security situation in Darfur and **CALLS FOR** the intensification of efforts so as to reach a lasting political settlement to allow Darfurians to participate fully in the upcoming elections;

15. **ALSO NOTES** the need to intensify current initiatives to assist the people of The Sudan to achieve lasting peace and stability. In this regard, the Assembly **URGES** Member States, the Commission and international partners to support and cooperate with these initiatives, including the AU Ministerial Committee on Post-Conflict Reconstruction and Development (PCRD) in The Sudan.

16. **WELCOMES** the report of the AU High Level Panel on Darfur (AUPD), and the recommendations contained therein, which provide a clear and sound Road Map for achieving peace, justice, reconciliation and healing in Darfur, and thereby

contribute to the overall objective of promoting sustainable peace and stability in The Sudan, **ENDORSES** the communiqué adopted in this respect by the PSC at its 207th meeting held in Abuja, Nigeria, on 29 October 2009, and **REITERATES** that the AUPD recommendations shall be the basis of AU engagement in Darfur and its interaction with its international partners. The Assembly **EXPRESSES ITS FULL SUPPORT** to the AU High Level Implementation Panel (AUHIP) on Sudan and **STRESSES** the need for all stakeholders to extend full cooperation to the Panel in the discharge of its mandate. In this context, the Assembly **REITERATES** the AU's support to the efforts of the Joint AU/UN Mediation and the facilitation provided by Qatar. The Assembly EXPRESSES its appreciation to all African countries, such as Libya, that are contributing to the search for peace in Darfur, in particular the process of unification of the Darfurian movements;

17. **ALSO WELCOMES** the appointment of Professor Ibrahim Gambari as the AU/UN Joint Special Representative and the Head of the United Nations-African Union Mission in Darfur (UNAMID);

18. **FURTHER WELCOMES** the progress made towards appeasement and normalization of relations between Chad and The Sudan, through the signing in N'Djamena, on 15 January 2010, of the Agreement on Normalization between Chad and the Sudan, as well as the Additional Protocol on the Securitization of Borders, and **ENCOURAGES** the two countries to maintain dialogue and implement the commitments made;

19. **NOTES WITH SATISFACTION** the significant progress made in the implementation of the recommendations of the Inclusive Political Dialogue in the Central African Republic (CAR) and **URGES** the Central African stakeholders to persevere in their efforts, particularly by providing the necessary cooperation towards the implementation of the disarmament, demobilization and reintegration programme (DDR) and working towards the establishment of conditions conducive to the holding of the free, fair and transparent legislative and presidential elections slated for April and May this year. The Assembly **APPEALS ONCE AGAIN** to the international community to lend the necessary support for the consolidation of peace, including the implementation of the Programme for the Reform of the Security Sector (RSS), and the socio-economic recovery of the CAR;

20. **URGES** the Ivorian parties to redouble efforts to successfully complete the peace and reconciliation process in their country, including the holding, within the set timeframe, of legislative and presidential elections which will conclude the process aimed at bringing the crisis to an end;

21. **TAKES NOTE** of the ongoing mediation process in Niger and **COMMENDS** the efforts of General Abdulsalami Abubakar, former Head of State of Nigeria and Mediator on the Inter-Nigerien Dialogue. The Assembly **CALLS ON** all parties to

fully cooperate with the Mediator, in particular during the upcoming meeting scheduled to be held in Niamey, Niger, on 4 February 2010;

22. **NOTES WITH SATISFACTION** the continued progress being made towards post-conflict reconstruction and peace-building in Liberia, and **URGES** the international community to continue to provide the necessary support to the ongoing efforts. The Assembly **COMMENDS** the Government of Liberia for initiating a process to formulate the best strategy for implementing the final report of the Truth and Reconciliation Commission (TRC);

23. **REITERATES THE FIRM CONDEMNATION** by the African Union of the deliberate massacres and acts of violence perpetrated by elements of the Guinean armed and security forces against unarmed civilians in the Conakry Stadium on 28 September 2009, and **STRESSES** the need to bring to justice the authors of these massacres and those who ordered them, in conformity with the AU principles on combating impunity. The Assembly **WELCOMES** the signing in Ouagadougou, on 15 January 2010, of the Joint Ouagadougou Declaration, under the aegis of President Blaise Compaoré, in his capacity as Mediator of the Guinean crisis, which marks a significant step in the process for the return to constitutional order and the resolution of the crisis in Guinea, in accordance with the relevant AU and ECOWAS decisions. The Assembly **PLEDGES** the commitment of the AU to mobilize support required for the implementation of the Ouagadougou Declaration, and **EXPRESSES ITS APPRECIATION** to President Blaise Compaoré of Burkina Faso for his efforts towards resolving the crisis;

24. **COMMENDS** the work of the International Contact Group (ICG), under the co-chairmanship of ECOWAS and AU, for its ongoing efforts aimed at resolving the crisis in Guinea. In that regard, the Assembly **TAKES NOTE** of the outcome of the most recent meeting of the ICG, held on 26 January 2010, in particular its invitation to the AU, ECOWAS and all AU partners to review the sanctions imposed on Guinea, in the course of the crisis, in light of recent positive developments in that country;

25. **COMMENDS** the return of Mauritania to constitutional order, and the mediation role played by the President of the Republic of Senegal, H.E. Abdoulaye Wade, with the support of the international community, through the International Contact Group on Mauritania under the leadership of the AU. The Assembly **ENCOURAGES** the holding, during the first half of 2010, of a meeting with bilateral and multilateral partners for the purpose of mobilizing financial and economic support for Mauritania, and **FURTHER ENCOURAGES** the Mauritanian parties to fully implement the Dakar Agreement;

26. **NOTES WITH SATISFACTION** the progress made in the process for the stabilization of Guinea Bissau since the presidential elections of June-July 2009, and **REQUESTS** the Chairperson of the Commission, in close collaboration with ECOWAS, to continue to work towards the implementation of the provisions of the Tripoli Plan of Action on Guinea Bissau, particularly those on the reconstruction and reform of the security sector, through the deployment of a joint AU-ECOWAS Stabilization Mission. The Assembly **URGES** the bilateral and multilateral partners to participate in the Donors Roundtable for Guinea Bissau, scheduled to be held during the first half of 2010, and **APPEALS** to the international community to provide the necessary assistance to the country in the fight against drug trafficking;

27. **WELCOMES** the entry into force, on 15 July 2009, of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), and **LOOKS FORWARD** to the Conference of the States' Parties to the Treaty, scheduled to take place in Addis Ababa, in April 2010, to establish the African Commission on Nuclear Energy. The Assembly **ALSO WELCOMES** the entry into force, in December 2009, of the Non-Aggression and Common Defence Pact, and **ENCOURAGES** the Commission to take all steps required for the implementation of the Pact. The Assembly **NOTES** that these two instruments enrich the AU normative framework for the structural prevention of conflicts;

28. **REQUESTS** the Peace and Security Council, in close collaboration with the Chairperson of the Commission, to spare no effort, within the framework of the Year of Peace and Security, to significantly advance the different peace processes in the Continent and to take the necessary initiatives for more dynamic action in the area of conflict prevention and post-conflict reconstruction.

DECISION ON THE PREVENTION OF UNCONSTITUTIONAL CHANGES OF GOVERNMENT AND STRENGTHENING THE CAPACITY OF THE AFRICAN UNION TO MANAGE SUCH SITUATIONS
Doc. Assembly/AU/4(XVI)

The Assembly,

1. **TAKES NOTE** of the Report of the Chairperson of the Commission on the Prevention of Unconstitutional Changes of Government and the Strengthening of the Capacity of the African Union (AU) to Manage such Situations;

2. **RECALLS** its previous decisions on the issue of Unconstitutional Changes of Government, particularly Decisions Assembly/AU/Dec. 220(XII) and Assembly/AU/Dec. 253 (XIII) adopted at its Twelfth and Thirteenth Ordinary Sessions held, respectively, in Addis Ababa, from 1 to 4 February 2009, and in Sirte from 1 to 4 July 2009, as well as the Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace, especially paragraph 8 thereof, adopted by the Special Session of the Assembly of the Union held in Tripoli, Great Libyan Arab Jamahiriya, on 31 August 2009;

3. **REITERATES** the African Union's total rejection of Unconstitutional Changes of Government, and its determination to put a definitive end to this scourge which undermines the progress achieved in the ongoing democratization processes in the Continent and constitutes a threat to peace and security in Africa. To this end, the Assembly **REAFFIRMS** the importance of the Algiers Decisions of July 1999, the Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government adopted by the 36th Ordinary Session of the Assembly of Heads of State and Government of the OAU, held in Lomé, Togo, from 10 to 12 July 2000, as well as the relevant provisions of the Constitutive Act of the African Union and the Protocol Relating to the Establishment of the Peace and Security Council;

4. **TAKES NOTE** of the initiatives taken by the Commission to follow up on Decision Assembly/AU/Dec. 253 (XIII), including the consultations with the various stakeholders to seek their views on the issue, including the strengthening of coordination with the AU, and the conclusions of the Peace and Security Council Retreat held in Ezulwini, Swaziland, from 17 to 19 December 2009;

5. **CONSIDERS** that AU is endowed with the instruments required to tackle the scourge of unconstitutional change of Government and that the objective should be to promote the effective implementation of these instruments by, where necessary, refining, enriching and updating them, rather than elaborating new instruments. The Assembly **ALSO EMPHASIZES**, in conformity with the relevant AU instruments, the need for a comprehensive approach to the issue of unconstitutional changes of Government based on zero tolerance for *coups d' Etat* but also for violations of democratic standards, the persistence and reoccurrence of which could result in unconstitutional changes;

6. **ENDORSES** the recommendations contained in the Report of the Chairperson of the Commission and, more specifically, agrees on the following measures:

i) **Enhancing the effectiveness of AU response to unconstitutional changes and modalities for accompanying transitions:**

a) **REITERATES** its appeal to all the Member States concerned to take, without delay, the measures required of them to become parties to the African Charter on Democracy, Elections and Governance, which considerably strengthens the provisions regarding unconstitutional changes of Government, and **REQUESTS** the Commission, working closely with the relevant structures of the Union, particularly the Pan-African Parliament, to pursue and step up its efforts at raising the awareness of all the concerned stakeholders to speed up the entry into force of the Charter;

b) **DECIDES** that, in cases of unconstitutional changes of Government, in addition to the suspension of the country concerned, the following measures shall apply:

a. non-participation of the perpetrators of the unconstitutional change in the elections held to restore constitutional order;

b. implementation of sanctions against any Member State that is proved to have instigated or supported an unconstitutional change in another State;

c. implementation by the Assembly of other sanctions, including punitive economic sanctions.

c) **DECIDES ALSO** that Member States should, upon the occurrence of an unconstitutional change of Government, not recognize the *de facto* authorities; and **CALLS ON** all non-African international bodies, including the United Nations and its General Assembly, to refrain from granting accreditation to such authorities, thus strengthening the automatic suspension measures taken by the AU against those countries in which unconstitutional changes of Government have taken place;

ii) **Revitalization of the mechanism for structural prevention of Unconstitutional Changes of Government**

a) **UNDERSCORES STRONGLY** the importance of the signing and ratification by Member States that have not already done so, of the AU Charter on Democracy, Elections and Governance, and of adhering to the principles of good neighbourliness and non-subversion. With respect to good governance and the rule of law in particular, the Assembly **REITERATES** the need for Member States to uphold the rule of law and abide by their own Constitutions, especially with regard to constitutional reforms, bearing in mind that failure to respect these provisions could lead to situations of tension which, in turn, could trigger political crisis;

(b) **REQUESTS** the Peace and Security Council, pursuant to the provisions of Article 7(m) of the Protocol Relating to the Establishment of the PSC, which stipulates that this body, in collaboration with the Chairperson of the Commission, shall "follow-up, within the framework of its conflict prevention responsibilities, the progress towards the promotion of democratic practices, good governance, the rule of law, protection of human rights and fundamental freedoms, respect for the sanctity of human life by Member States", to examine regularly progress made in the democratisation processes, on the basis of a report prepared by an independent Rapporteur to be appointed by the Chairperson of the Commission, who will be given the necessary support in terms of personnel and expertise. The Assembly **DECIDES** that, for 2010, Year of Peace and Security in Africa, this review shall be effected by a meeting of PSC at ministerial level;

(c) **REQUESTS** the Commission to redouble its efforts to ensure the follow-up and effective implementation of the recommendations made by the Panel of the Wise in its Report on the Strengthening of the Role of the African Union in the Prevention, Management and Resolution of Elections-related tensions and violent conflicts in Africa as endorsed by the Thirteenth Ordinary Session of the Assembly of the Union [Document

Assembly/AU/6(XIII) Rev.1], considering the fact that differences concerning the conduct of an electoral process contribute to the occurrence of an unconstitutional change of Government;

(d) **UNDERSCORES** the need to build AU's proactive capacity, through a much more dynamic direct preventive action. In that connection, the Assembly **ENCOURAGES** the Chairperson of the Commission to make full use of the powers conferred on him by the provisions of Article 10 (2b) of the Protocol establishing the PSC and to work, as necessary, with the Panel of the Wise and other eminent African personalities to diffuse tensions and resolve crises which could lead to unconstitutional changes of Government. The Assembly **UNDERSCORES** the obligation on the part of Member States to provide all the assistance and cooperation required to that end.

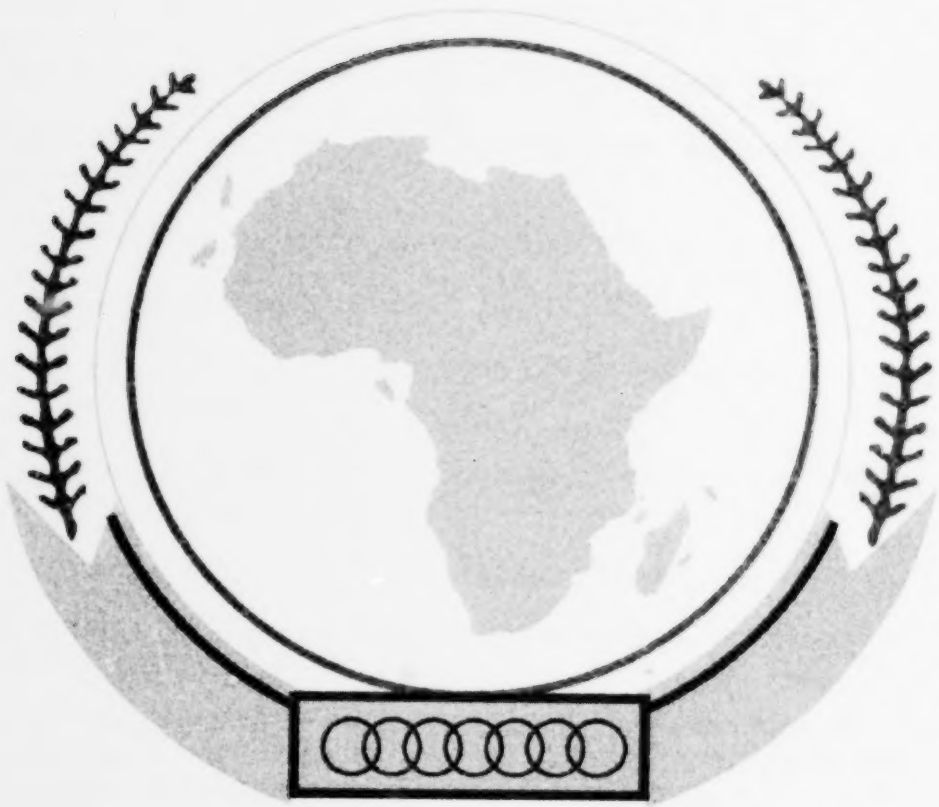
(iii) Coordination at regional and international levels

a) **REITERATES** the primacy of the Union's responsibility in the promotion of peace, security and stability in the continent, in accordance with the Protocol relating to the Establishing of the PSC, and **DECIDES**, therefore, that whenever the AU takes a decision on an unconstitutional change of Government, it must do so in close consultation with the Regional Mechanisms for Conflict Prevention, Management and Resolution as provided for under Article 16 of the above referred Protocol. The Regional Mechanisms must conform with the decision thus taken and, in particular, refrain from admitting States suspended from participating in the AU activities. The Assembly **FURTHER DECIDES** that, in discharging its mandate, the PSC should take into account the fundamental role of the RECs and their rules and practices governing unconstitutional changes of government;

b) **REQUESTS** AU partners, both bilateral and multilateral, including the UN and the European Union, to strongly support the decisions taken by the AU in situations of unconstitutional change of government and to refrain from any action which could undermine the efforts of the AU and send conflicting signals to the perpetrators of unconstitutional changes;

c) **RECOGNISES** the important role played by International Contact Groups in mobilizing the support of AU partners and the international community as a whole to AU positions on unconstitutional changes of Government, and **ENCOURAGES** the Commission to establish, as and when necessary, such Groups under AU leadership, in order to mobilize the broadest support possible for decisions taken by the Union in accordance with the relevant instruments of the AU;

7. **REQUESTS** the Chairperson of the Commission to take all necessary measures to follow-up and implement this Decision and to report regularly on efforts deployed to this end.



DECISION ON THE REPORT OF THE SECOND MEETING OF STATES PARTIES TO THE ROME STATUTE ON THE INTERNATIONAL CRIMINAL COURT (ICC) DOC. Assembly/AU/8(XIV)

The Assembly,

1. **TAKES NOTE** of the Report of the Ministerial Preparatory Meeting on the Rome Statute of the International Criminal Court (ICC) held in Addis Ababa, Ethiopia on 6 November 2009 in conformity with Decision Assembly/AU/Dec.245(XIII) adopted in Sirte, Great Libyan Arab Jamahiraya, in July 2009, to prepare for the Review Conference of States Parties scheduled for Kampala, Uganda in May-June 2010;

2. **ENDORSES** the recommendations contained therein, and in particular the following:

   I) Proposal for amendment to Article 16 of the Rome Statute;

   II) Proposal for retention of Article 13 as is;

   III) Procedural issues: Guidelines for the exercise of prosecutorial discretion by the ICC Prosecutor;

   IV) Immunities of Officials whose States are not parties to the Rome Statute: the relationship between articles 27 and 98; and

   V) Proposals regarding the crime of aggression.

3. **REITERATES** its commitment to fight impunity in conformity with the provisions of Article 4(h) of the Constitutive Act of the African Union;

4. **ALSO TAKES NOTE** of the Report of the Commission on the 8th Assembly of States Parties of the ICC (ASP) held in The Hague, Netherlands from 16 to 26 November 2009 and the outcome of the ASP meeting;

5. **WELCOMES** the submission by the Republic of South Africa, on behalf of the African States Parties to the Rome Statute of the ICC of a proposal which consisted of an amendment to Article 16 of the Rome Statute in order to allow the United Nations (UN) General Assembly to defer cases for one (1) year in cases where the UN Security Council would have failed to take a decision within a specified time frame.

6. **UNDERSCORES** the need for African States Parties to speak with one voice to ensure that the interests of Africa are safeguarded;

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

7. **WELCOMES** Resolution ICC-ASP/8/Res.6 on the Review Conference that establishes a Working Group of the ASP for the purpose of considering, as from its Ninth Session, amendments to the Rome Statute including among others the proposal for amendment to Article 16 of the Rome Statute together with the proposals from other States Parties or group of States Parties;

8. **TAKES NOTE** of the fact that the other proposals made by the Second Meeting of the African States Parties to the Rome Statute will not be considered during the Review Conference and **REQUESTS** accordingly, the African States Parties to raise the issue of the immunities of Officials whose States are not parties to the Rome Statute (the relationship between articles 27 and 98 under the topic "Cooperation" at the level of the Working Group of New York of the Bureau of ASP as well as during the stocktaking exercise of the Review Conference;

9. **ALSO TAKES NOTE** of the fact that there was no debate on the crime of aggression during the 8th ASP;

10. **DEEPLY REGRETS** that the request by the African Union to the UN Security Council to defer the proceedings initiated against President Bashir of The Sudan in accordance with Article 16 of the Rome Statute of ICC on deferral of cases by the UN Security Council, has not been acted upon, and in this regard, **REITERATES** its request to the UN Security Council;

11. **URGES** the African States Parties to the Rome Statute to follow-up on the concerns raised by Member States;

12. **TAKES NOTE** of the Review Conference of States Parties to the International Criminal Court scheduled to be held in Kampala, Uganda from 31 May to 11 June 2010, and **CALLS UPON** African Member States Parties to attend and effectively participate in the Conference;

13. **REQUESTS** the African Group in New York and the African Members of the Bureau of ASP, to follow up on the implementation of this Decision in collaboration with the Commission and to ensure that the concerns raised by the Assembly of the Union and its Member States are properly addressed through consultations with other Regional Groups with a view to finding a durable solution and to report to the Assembly through the Commission on actions taken;

14. **ALSO REQUESTS** the Commission to follow-up on the implementation of this Decision and to report to the next Ordinary Session of the Assembly through the Executive Council in July 2010.

DECISION ON THE ABUSE OF THE PRINCIPLE OF UNIVERSAL JURISDICTION
Doc. EX.CL/540(XVI)

The Assembly,

1. **TAKES NOTE** of the recommendations of the Executive Council on the Progress Report of the Commission on the Implementation of Decision Assembly/AU/Dec.243 (XIII) adopted in Sirte, Great Libyan Arab Jamahiriya in July 2009;

2. **ALSO TAKES NOTE** of United Nations General Assembly (UNGA) Resolution A/RES/64/L.117 on the Scope and Application of the Principle of Universal Jurisdiction adopted on 16 December 2009 by the United Nations (UN) General Assembly and **INVITES** all Member States to submit to the UN Secretary General, before 30 April 2010, information and observations on the scope and application of the principle of universal jurisdiction, including information on the relevant applicable international treaties, their domestic legal rules and judicial practice;

3. **REITERATES** its previous positions articulated in decisions Assembly/Dec.199(XI), Assembly/Dec.213(XII) and Assembly/Dec.243 (XIII) adopted in Sharm el Sheikh, Addis Ababa and Sirte in July 2008, February 2009 and July 2009 respectively to the effect that there has been blatant abuse of the Principle of Universal Jurisdiction particularly by some non-African States and **REITERATES** its call for immediate termination of all pending indictments;

4. **FURTHER REITERATES** its commitment to fight impunity in conformity with the provisions of Article 4(h) of the Constitutive Act of the African Union;

5. **URGES** the European Union (EU) and its Member States to extend the necessary cooperation to the African Union to facilitate the search for a durable solution to the abuse of the Principle of Universal Jurisdiction;

6. **ALSO REITERATES** its conviction of the need for an international regulatory body with competence to review and/or handle complaints or appeals arising out of abuse of the Principle of Universal Jurisdiction by individual States;

7. **CALLS UPON** all concerned States, particularly European States, to respect international law and particularly the immunity of state officials when applying the Principle of Universal Jurisdiction;

8. **EXPRESSES APPRECIATION** to the Chairperson of the African Union and the Chairperson of the Commission for efforts made so far towards ensuring that this matter is exhaustively discussed at the level of the United Nations;

9. **URGES** Member States affected by the abuse of the Principle of Universal Jurisdiction by non-African States to respond to the request made by the Chairperson of the Union and to communicate to the Commission the list and details of pending cases in non-African States against African personalities;

10. **REQUESTS** the African Group in New York to follow-up on the implementation of this Decision in collaboration with the Commission and to ensure that the concerns raised by the African Union and its Member States are properly addressed with a view to finding a durable solution and to report to the Assembly through the Commission on actions taken;

11. **ALSO REQUESTS** the Commission to follow-up on this matter with a view to ensuring that a definitive solution to this problem is reached and to report to the next Ordinary Session of the Assembly through the Executive Council in July 2010.

DECISION ON THE HISSENE HABRE CASE
Doc. Assembly/AU/9(XVI)

The Assembly,

1. **TAKES NOTE** of the Progress Report of the Commission on the Implementation of Assembly Decision Assembly/AU/Dec.240(XII) and Decision Assembly/AU/246 (XIII) adopted by the Assembly in Addis Ababa, Ethiopia, in February 2009 and in Sirte, Great Libyan Arab Jamahiriya in July 2009 respectively on the Hissene Habre Case;

2. **REITERATES** its commitment to fight impunity in conformity with the provisions of Article 4(h) of the Constitutive Act of the African Union

3. **ALSO TAKES NOTE** that in spite of its previous Summit decisions calling on all Member States to make voluntary contributions to the budget of the Hissene Habre Case there has been no positive reactions from the majority of Member States;

4. **REITERATES** its appeal to all Member States to contribute to the budget of the trial and extend the necessary support to the Government of Senegal in the execution of the African Union (AU) mandate to prosecute and try Hissene Habre;

5. **RECALLS** its Decision Assembly/AU/246 (XIII) adopted in Sirte, Great Libyan Arab Jamahiriya in July 2009, calling for the African Union to make a token contribution to the budget of the trial for a sum to be determined following consultations between the Commission and the Permanent Representatives Committee;

6. **REQUESTS** the Government of Senegal, the Commission and Partners, particularly the European Union to continue with consultations with the view to ensuring the holding of the Donors Round Table as soon as possible;

7. **INVITES** all partner countries and institutions to support this process and the Donors Round Table that will be organized in Dakar, Senegal in 2010;

8. **REQUESTS** the Commission to monitor the implementation of this Decision and to report to the next Ordinary Session of the Assembly through the Executive Council in July 2010.

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

DECISION ON THE TERRORIST ATTACK AGAINST THE TOGOLESE NATIONAL FOOTBALL TEAM

The Assembly,

1. **STRONGLY CONDEMNS** the terrorist act of 8 January 2010 against the Togolese National Football Team attending the African Nations Cup tournament in the Angolan Province of Cabinda, on the border between the Republic of Angola and the Republic of Congo;

2. **REAFFIRMS** that terrorism is an abominable and condemnable act aimed at destabilizing the peace and security of all peoples;

3. **RECALLS** the principles enshrined in the Constitutive Act of the African Union, the 1999 OAU Convention on Preventing and Combating Terrorism (Algiers Convention) and the 2004 Protocol, the relevant legal instruments of the United Nations and other International Conventions relating to the fight against terrorism, all of which equally condemn the support, sheltering and financing of terrorists groups;

4. **REAFFIRMS** its resolve to fight terrorist acts in Africa and in the world, and **APPEALS** to all African and Non–African countries to abstain from promoting, protecting, supporting, sheltering and harbouring terrorists groups;

5. **URGES** countries from where the terrorist act was organized, planned and later claimed to cooperate with the Government of Angola in arresting and bringing to justice those responsible for the act;

6. **ENCOURAGES** those countries not to allow permanent residence in their territories to those with known terrorist backgrounds and to take necessary measures to prevent the use of their territories for planning and carrying out terrorist attacks against African countries;

7. **CALLS ON** the international community, notably Member States and relevant international organizations, to fully cooperate with the Angolan Authorities in bringing the perpetrators of this heinous act to justice.

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

DECISION ON THE PROCLAMATION OF 2010 AS THE INTERNATIONAL YEAR OF THE YOUTH

The Assembly,

1. **RECALLS** Decision Assembly/AU/Dec.250 (XIII) requesting all Member States and the African Group in New York to give their support to efforts geared towards the adoption of a draft resolution proclaiming 2010 "International Year of the Youth";

2. **ALSO RECALLS** Decision Assembly/AU/Dec.250 (XIII) inviting all Member States of the United Nations Organisation and other international organizations to support this initiative to proclaim 2010 as International Year of the Youth, and to contribute to its adoption when it is tabled before the United Nations General Assembly;

3. **TAKES NOTE** of the effective adoption on 18 December 2009 by the 64th Session of the United Nations General Assembly of Resolution 64/131 entitled "*2010 International Year of the Youth: Dialogue and Mutual Understanding*" to proclaim the year and to organize a World Youth Conference as the highlight of the Year, and invites the President of the General Assembly to conduct open-ended consultations with Member States with a view to determining the modalities of the Conference and the expected outcomes;

4. **EXPRESSES** its full satisfaction and great pride following the unanimous adoption, on the initiative of His Excellency Zine El Abidine BEN ALI President of the Republic of Tunisia, of the appeal to proclaim 2010 as the International Year of the Youth;

5. **COMMENDS** the Republic of Tunisia and its President, His Excellency Zine El Abidine BEN ALI, for the special interest given to the role of the youth, in general, and the African Youth, in particular, in the task of developing and consolidation mutual understanding;

6. **CALLS UPON** Member States to continue to support this initiative while actively participating in consultations that will be led by the President of the United Nations General Assembly on the modalities for organizing the World Youth Conference;

7. **URGES** Member States to organize and undertake national actions and participate in regional and international activities to mark the International Year of the Youth;

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

8. **ALSO URGES** Member States to work with the Commission to launch and implement the African Union Youth Volunteer Corps;

9. **REQUESTS** the Commission to get actively involved in the popularization of the theme of the International Year of the Youth, "*Dialogue and Mutual Understanding*", in the implementation of the appropriate activities and in the monitoring of actions undertaken by Member States and Regional Economic Communities;

10. **ALSO REQUESTS** the Commission to report to the Ordinary Session of the Assembly through the Executive Council in January 2011 on the status of the overall implementation of actions relating to the celebration of the International Year of the Youth.

DECISION ON THE YEAR OF PEACE AND SECURITY IN AFRICA
Doc. Assembly/AU/5(XIV)

The Assembly,

1. **TAKES NOTE** of the Report of the Chairperson of the Commission on the Year of Peace and Security in Africa;

2. **RECALLS** the Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace [SP/Assembly/PS/Decl.(I)], adopted by the Special Session of the Assembly of the African Union (AU) on the Consideration and Resolution of Conflicts in Africa, held in Tripoli, Great Libyan Arab Jamahiriya, on 31 August 2009, in particular paragraph 23 of the Declaration in which the Heads of State and Government decided to proclaim 2010 as the Year of Peace and Security in Africa;

3. **FURTHER RECALLS** that, while notable gains have been made and the number of violent conflicts on the Continent has been reduced significantly in recent years, nevertheless far too many African countries remain trapped in a vicious cycle of conflict with devastating consequences;

4. **UNDERLINES** the need for the full operationalization of the African Peace and Security Architecture, in order to enhance the capacity of the Continent to successfully address the challenges of peace and security;

5. **STRESSES** that the Year of Peace and Security will be an opportunity for African peoples and leaders, as well as African institutions, in partnership with the international community, to review current efforts towards peace on the Continent, with a view to strengthening them and, where appropriate, launching new initiatives, in particular by:

   (i) giving added momentum to peace and security efforts on the Continent;

   (ii) giving greater visibility to past and ongoing efforts by the African Union (AU) on the ground;

   (iii) speeding up the implementation of commitments made by Member States in various AU instruments relating to peace and security;

   (iv) making synergies between official efforts to promote peace and security with those being undertaken on the ground by grassroots communities; and

   (v) mobilizing resources to support peace and security efforts on the Continent.

6. **EXPRESSES ITS FULL SUPPORT** for the steps and initiatives envisaged by the Chairperson of the Commission as contained in his report on the Year of Peace and Security in Africa. The Assembly **COMMENDS** the Commission for the steps already taken towards the implementation of the Year of Peace and Security, in particular the building of the required partnerships, the mobilization of resources and outreach activities;

7. **REQUESTS** the Chairperson of the Commission to pursue those efforts and to urgently take all the required measures for the successful celebration of the Year of Peace and Security, in particular by mobilizing human, technical and financial resources, ensuring the active involvement of all relevant AU structures, including the Pan-African Parliament (PAP), the Economic, Social and Cultural Council (ECOSOCC) and AU Specialized Institutions, among others, mobilizing the African private sector and civil society, as well as the support of AU's bilateral and multilateral partners and other relevant stakeholders. In this respect, the Assembly **WELCOMES** the partnership between the AU and the Confederation of African Football (CAF), as well as the financial and technical support provided by the German Government through GTZ, and the commitment of the United Nations Fund for Children (UNICEF) to work with the AU towards the successful celebration of the Year of Peace and Security;

8. **UNDERLINES** the crucial role of Member States and the Regional Economic Communities (RECs), and **URGES** them to seize the opportunity of the Year of Peace and Security to highlight the actions undertaken in promoting peace and security and intensify their efforts in this regard, including by signing and ratifying relevant AU instruments and effectively implementing the commitments contained therein. The Assembly **WELCOMES** the entry into force of the Pelindaba Treaty and of the Non-Aggression and Common Defence Pact, which enrich the AU normative framework for structural conflict prevention and **ONCE AGAIN, APPEALS TO** all Member States that have not yet done so to speedily take the steps required to become parties to the African Charter on Democracy, Elections and Governance;

9. **FURTHER URGES** Member States to take the necessary measures for the success of the campaign and to take other steps in support of the Year of Peace and Security, including issuing special stamps, providing free air time and space for advertisements in state media and facilitating the successful tour of the Flame of Peace;

10. **REQUESTS** the Peace and Security Council to undertake specific activities in support of the Year of Peace and Security, in particular by holding meetings in countries affected by conflicts, making further visits in the field, so that PSC members can observe at first hand the realities of these countries, and becoming both more proactive in considering situations of potential and incipient conflict, while remaining engaged in countries that are emerging from conflict. The Assembly **ALSO REQUESTS** the PSC to devote special sessions to the theme of

Women and Youth in Conflicts. Recognizing that women and children continue to be the most affected by the conflicts that ravage parts of our Continent and recalling the launch of the African Women's Decade, as decided at the Twelfth Ordinary Session of the Assembly, **DECLARES** that the laudable intentions contained therein should be reinforced by the Declaration of 2010 as the African Year of Peace and Security in Africa, and that its objectives continue to permeate throughout the coming Women's Decade, reinvigorating and strengthening the attainment of lasting peace, security and prosperity on the Continent;

11. **NOTES** that, in the next twelve (12) months, seventeen (17) African countries will be celebrating their fiftieth anniversaries as independent states and that these celebrations should mark a new beginning, heralding a new era for the continent, specially through renewed efforts to address the challenge of peace and security;

12. **CALLS ON** the African countries concerned to seize the opportunity of their respective national days to work with the Commission in carrying out programmes collaboratively in support of the Year of Peace and Security;

13. **APPEALS** to all AU partners and other stakeholders to extend full support to the AU to ensure the successful celebration of the Year of Peace and Security and **ENCOURAGES** them to jointly identify with the Commission activities that could be undertaken in this respect;

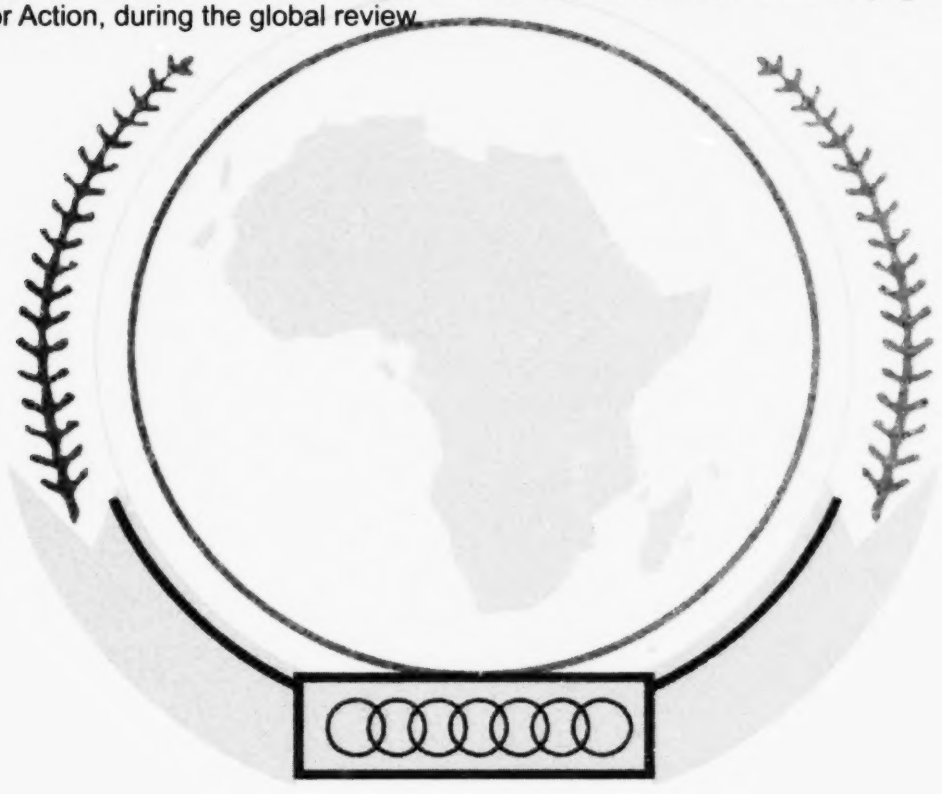
14. **REQUESTS** the Chairperson of the Commission to submit to it a progress report on the implementation of the Year of Peace and Security campaign at the next Ordinary Session of the Assembly, through the Executive Council in July 2010.

DECISION ON THE AFRICAN COMMON POSITION ON THE FIFTEEN-YEAR REVIEW OF THE IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION

The Assembly,

1. **TAKES NOTE** of the Report on the African Common Position on the Fifteen-Year Review of the Implementation of the Beijing Platform for Action, and the recommendations contained therein;

2. **CALLS ON** the United Nations to consider and incorporate the Common African Position on the Fifteen-Year Review of the Implementation of the Beijing Platform for Action, during the global review.



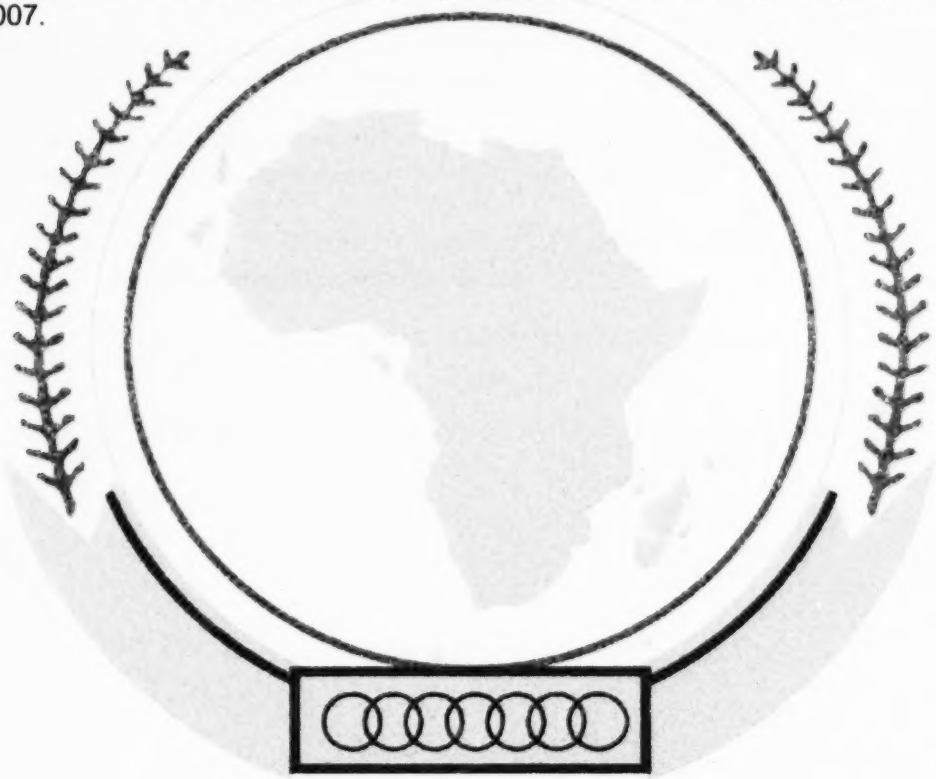
Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

DECISION ON THE ESTABLISHMENT OF THE FUND FOR AFRICAN WOMEN

The Assembly,

1. **TAKES NOTE** of the recommendations of the Executive Council to launch the Fund for African Women;

2. **DECIDES** to launch the Fund for African Women in accordance with Assembly Decision Assembly/AU/Dec.143 (VIII) adopted in Addis Ababa, Ethiopia, in January 2007.



Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

DECISION ON THE DATE AND VENUE OF THE FIFTEENTH ORDINARY SESSION OF THE ASSEMBLY OF THE AFRICAN UNION

The Assembly,

1. **RECALLS** its earlier acceptance of the invitation by the Republic of Uganda to host the Fifteenth Ordinary Session of the Assembly in Kampala during the Eleventh Ordinary Session of the Assembly of the Union held in Sharm El Sheikh, Egypt, from 30 June to 1 July 2008;

2. **REITERATES** its appreciation to the Government of the Republic of Uganda, for its offer to host the Fifteenth Ordinary Session of the Assembly;

3. **ACCEPTS** the dates proposed by the Republic of Uganda and the Commission for the holding of the Summit meetings in Kampala as follows:

   i. 19 to 20 July 2010: Twentieth Ordinary Session of the Permanent Representatives Committee;

   ii. 22 to 23 July 2010: Seventeenth Ordinary Session of the Executive Council;

   iii. 25 to 27 July 2010: Fifteenth Ordinary Session of the Assembly.

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

DECISION ON MADAGASCAR

The Assembly,

1. **EXPRESSES** deep concern over the continuing political crisis in Madagascar;

2. **RECOGNIZES** the importance and validity of the Maputo Agreement and the Additional Act of Addis Ababa;

3. **STRESSES** that these agreements remain the only roadmap for a comprehensive solution to the Madagascar crisis and **URGES** for their speedy and faithful implementation;

4. **URGES** the illegal regime in Madagascar to desist from attempts to impose unilateral solutions to the current crisis thereby circumventing the Maputo Agreement and the Additional Act of Addis Ababa;

5. **RECOGNIZES** the efforts being made by the African Union (AU) and the Southern African Development Community (SADC), to restore constitutional order in Madagascar;

6. **WELCOMES** the various Summit meetings and decisions of the SADC leaders; the meetings convened in Maputo on 8 and 9 August 2009, and Addis Ababa from 2 to 6 November 2009;

7. REQUESTS the Commission and SADC to continue to work together in assisting the negotiation process in Madagascar;

8. **UNDERSCORES** the leading role played by SADC in the mediation process, given its regional responsibilities and comparative advantages;

9. **STRESSES** the need for the establishment of the Follow Up Mechanism provided for in paragraph 12 of the Additional Act of Addis Ababa of 6 November 2009;

10. **EXPRESSES FULL SUPPORT** to H.E. Joaquim Chissano, former President of the Republic of Mozambique and SADC Mediator, and his mediation team for their endeavours towards re-establishing constitutional order in Madagascar;

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

11. **NOTES** the proposals presented by the Chairperson of Commission to the Malagasy parties during his mission to Madagascar from 21 to 22 January 2010 and **URGES** the parties to respond expeditiously to these proposals;

12. **REQUESTS** the Peace and Security Council to meet in due course to review the situation and take the required decisions in light of the relevant AU instruments;

13. **APPEALS** to the international partners to continue to extend full support to the efforts being made towards the resolution of the crisis in Madagascar and the restoration of constitutional order within the institutional framework approved by the Assembly.

DECISION ON ELECTION OF THE MEMBERS OF THE PEACE AND SECURITY COUNCIL OF THE AFRICAN UNION
Doc. EX.CL/578(XVI)

The Assembly,

1. **TAKES NOTE** of the election of the Members of the Peace and Security Council of the African Union by the Executive Council;

2. **APPOINTS** the following five (5) Members of the Peace and Security Council for a three(3)-year term as of 1 April 2010:

NAME	REGION
Equatorial Guinea	Central Region
Kenya	Eastern Region
Libya	Northern Region
Zimbabwe	Southern Region
Nigeria	Western Region

3. **ALSO APPOINTS** the following ten (10) Members of the Peace and Security Council for a two (2)-year term as of 1 April 2010:

NAME	REGION
Burundi	Central Region
Chad	Central Region
Djibouti	Eastern Region
Rwanda	Eastern Region
Mauritania	Northern Region
Namibia	Southern Region
South Africa	Southern Region
Benin	Western Region
Cote d'Ivoire	Western Region
Mali	Western Region

DECISION ON THE FIFTEENTH CONFERENCE OF PARTIES TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC) AND THE KYOTO PROTOCOL[1]

Doc. Assembly/AU/10 (XIV)

The Assembly,

1. **TAKES NOTE** of the Report of H.E Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia, the Coordinator of the Conference of African Heads of State and Government on Climate Change (CAHOSCC), on the conduct and outcomes of the Fifteenth Conference of Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol, held in Copenhagen, Denmark, in December 2009;

2. **ENDORSES** the provisions of the Copenhagen Accord and **ENCOURAGES** all Member States that may wish to do so, to make individual submissions to the Secretariat of UNFCCC supporting the Accord in the context of the common but differential responsibilities and supported with the means of implementation;

3. **REAFFIRMS** its continued stand to remain united in all future negotiations on climate change; and **ENDORSES** that the leadership of H.E Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia, as Coordinator of CAHOSCC, be extended to lead CAHOSCC for the next two (2) Conferences of Parties (COP16 in Mexico and COP17 in South Africa, in 2010 and 2011 respectively);

4. **REQUESTS** CAHOSCC to establish a streamlined single negotiating structure at the Ministerial and Expert levels to replace the current coordinating mechanism;

5. **ALSO REQUESTS** CAHOSCC to hold a Post-COP 15 Meeting before the Conference in Bonn, Germany in May 2010 in order to prepare for all the other meetings identified in the report of the CAHOSCC Chairperson;

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[1] Reservation entered by Egypt

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

6. **FURTHER REQUESTS** the Chairperson of the Commission to take all necessary measures to register the African Union as a Party to the UNFCCC, for purposes of negotiation but consistent with the sovereign right of its Member States.

DECISION ON THE REPORT OF HEADS OF STATE AND GOVERNMENT IMPLEMENTATION COMMITTEE ON THE NEW PARTERSHIP FOR AFRICA'S DEVELOPMENT (NEPAD)

The Assembly,

1. **TAKES NOTE WITH APPRECIATION** of the Report by the Chairperson of the New Partnership for Africa's Development (NEPAD) Heads of State and Government Implementation Committee (HSGIC), H.E. Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia;

2. **NOTES AND WELCOMES** progress made in the implementation of the NEPAD Programme, particularly on the African Union (AU)/NEPAD Comprehensive Africa Agriculture Development Programme (CAADP) through the signing of CAADP Compacts and the finalization of the NEPAD Capacity Development Strategic Framework (CDSF) as a common reference and integrated tool to address capacity challenges in Africa;

3. **RECALLS** Decision Assembly/AU/Dec.241(XII) of the Twelfth Ordinary Session of the AU Assembly on the need for a coherent, systematized and institutionalized partnership engagement with the G8 and **NOTES** the outcomes of the L'Aquila G8/Africa Outreach of July 2009 including the launch of the US$20 billion L'Aquila Food Security Initiative (AFSI), the Pittsburgh G20 Summit of September 2009 and the conclusions of the 13th Africa Partnership Forum (APF);

4. **OBSERVES** that the evolving global context with respect to the G8 and G20, and the latter serving as the premier forum for international economic cooperation has necessitated an in-depth review of Africa's partnership strategy within this new global governance architecture. In this regard, **NOTES** that the G8 has established an accountability mechanism with Africa and therefore **AGREES** that Africa should undertake an independent assessment of G8/Africa Partnership as a contribution to the next G8/Africa Outreach;

5. **REQUESTS** the Commission and the NEPAD Secretariat, in collaboration with the Africa Development Forum to undertake this assessment and submit its findings by the June 2010 G8 Summit;

6. **URGES** the adoption of a new strategic approach focusing on partnership dialogue on Africa's development policy issues and **CALLS FOR** the institutionalization of Africa's engagement within the G20, and the effecting of the desired paradigm shift from management of poverty in the Continent to economic transformation for Africa to emerge as a new growth pole to address existing imbalances and play a significant role in the integrated world economy.

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

DECISION ON THE INTEGRATION OF THE NEW PARTNERHSIP FOR AFRICA'S DEVELOPMENT (NEPAD) INTO THE STRUCTURES AND PROCESSES OF THE AFRICAN UNION INCLUDING THE ESTABLISHMENT OF THE NEPAD PLANNING AND COORDINATING AGENCY (NPCA)

The Assembly,

1. **RECALLS AND REAFFIRMS** the Decision of the Second Session of the Assembly in Maputo of July 2003, the 13-Point Conclusions of the Algiers New Partnership for Africa's Development (NEPAD) Brainstorming Meeting of March 2007 as endorsed by the Tenth Ordinary Session of the Assembly in Addis Ababa in February 2008 and the outcomes of the Dakar NEPAD Review Summit of April 2008 as the basis for the integration of NEPAD into the structures and processes of the African Union (AU);

2. **FURTHER RECALLS** the adoption of NEPAD as a programme of the AU by the Thirty-seventh Ordinary Session of the Assembly of the then Organization of African Unity (OAU) in Lusaka, Zambia, in July 2001 and **REITERATES** that the NEPAD vision and programme had since inception remained an intrinsic part of the African Union;

3. **NOTES** the key recommendations contained in the consultancy-study report on AU/NEPAD Integration commissioned in December 2008 and the similarity of views of the African Union Commission and the NEPAD Secretariat on the recommendations as well as the broad consultations with various African stakeholders;

4. **ENDORSES** the recommendations of the 21st NEPAD Heads of State and Government Implementation Committee (HSGIC) as re-submitted by the 22nd HSGIC on the integration of NEPAD into the structures and processes of the African Union;

5. **HEREBY APPROVES**:

   a. **The establishment of the NEPAD Planning and Coordinating Agency (NPCA) as a technical body of the African Union in replacement of the NEPAD Secretariat with the mandate to:**

      i. Facilitate and coordinate the implementation of the continental and regional priority programmes and projects;

ii. Mobilize resources and partners in support of the implementation of Africa's priority programmes and projects;

iii. Conduct and coordinate research and knowledge management;

iv. Monitor and evaluate the implementation of programmes and projects; and

v. Advocate on the AU and NEPAD vision, mission and core principles/values.

b. The main features of the NEPAD Governance structures:

i. The NEPAD Heads of State and Government Implementation Committee (HSGIC), with a change of name to the NEPAD Heads of State and Government Orientation Committee (HSGOC);

ii. The HSGOC is a sub-committee of the AU Assembly that provides political leadership and strategic guidance on the NEPAD Programme and reports its recommendations to the Assembly for endorsement;

iii. The HSGOC is the essence and spirit of NEPAD with the lead function of high-level coordination of the NEPAD priority sectors;

iv. An intermediary body to interface between the HSGOC and the new Agency, consisting of the NEPAD Steering Committee;

v. The Chairperson of the African Union Commission exercises supervisory authority over the NEPAD Planning and Coordinating Agency, whilst giving the new Agency adequate and necessary flexibilities to carry out its mandate and thereby maintaining the corporate brand identity of the NEPAD Programme within the African Union.

c. Financing the NPCA and its programmatic activities will be through:

i. Established budget from the statutory sources of the African Union Commission;

ii. Continuation of voluntary contributions by AU Member-States;

iii. Additional budgetary support from Development Partners and the Private Sector in conformity with AU financial rules and regulations.

d. **URGES** the early conclusion of a permanent Host Agreement for the NEPAD Planning and Coordinating Agency (NPCA) between the South African Authorities and the Commission, in consultation with the NEPAD entity;

e. The Chairpersons of HSGOC and the Commission should mandate the CEO of NEPAD to work out the modalities and roadmap for the effective and smooth take-off and functioning of the new NEPAD Agency in collaboration with the Commission by the next Ordinary Session of the Assembly in July 2010.

6. **EXPRESSES APPRECIATION** to Member States, the Chairperson of the Commission, the RECs, African institutions and other stakeholders for their contributions to the process of NEPAD integration into the African Union.

DECISION ON THE RESPONSE TO THE GLOBAL FINANCIAL AND ECONOMIC CRISIS

The Assembly,

1. **TAKES NOTE** of the Report on initiatives and responses to the global financial and economic crisis by international financial institutions; the multilateral development banks, including the African Development Bank (AfDB); as well as the African countries;

2. **COMMENDS** the role played by the African Union Commission, the African Development Bank, and the United Nations Economic Commission for Africa (UNECA) in pushing Africa's position regarding the crisis within various international fora such as the G8 and the G20;

3. **EXPRESSES CONCERNS** regarding the impact of the global financial and economic crisis on African countries, despite their economies being less integrated into the international financial system;

4. **FURTHER COMMENDS** efforts made by developed countries, the international financial institutions, African countries, and Regional and Multilateral Development Banks , among others, aimed at mitigating the impact of the crisis;

5. **WELCOMES** the outcome of the G-20 Summit held in Pittsburgh, USA, in September 2009, including the need for increased voice and representation at the Bretton Woods Institutions; general capital increase for Regional and Multilateral Development Bank, including the African Development Bank (AfDB) and the World Bank; sale of gold; debt relief; review of Debt Sustainability Framework; the need to deliver on ODA commitments; increasing policy space; trade, including conclusion of Doha Round / Trade Negotiations; climate change; and support for regional integration in Africa;

6. **CALLS UPON** developed countries as well as international financial institutions to urgently implement the recommendations and commitments made during the Pittsburgh G-20 Summit;

7. **COMMENDS** AfDB and the World Bank for front loading ADF 11 and IDA 15, respectively, and developing new facilities to support African countries, particularly the low income countries, to cope with the crisis;

8. **SUPPORTS** the acceleration of ADF 12 and IDA 16 replenishments, in view of the fact that both AfDB and the World Bank have front loaded ADF 11 and IDA 15 respectively;

9. **NOTES** with concern that the crisis has increased the demand for African Development Bank and World Bank resources and that these banks may soon have inadequate resources to support low income countries to mitigate the impact of the present crisis and resume growth;

10. **RECALLING** the necessity for African countries to attain the MDGs by target date of 2015; **CALLS** for strong and timely replenishment of ADF 12 and IDA 16, and early general capital increases for the two institutions to, among others, provide support for the low income countries; and

11. **REQUESTS** the Commission, in collaboration with the AfDB and UNECA, to continue monitoring the impact of the crisis on African countries, as well as the implementation of the G20 Summit Commitments.

DECISION ON THE REFORM OF THE UNITED NATIONS SECURITY COUNCIL

The Assembly,

1. **ADOPTS** of the Report of the Committee of Ten Heads of State and Government on the Reform of the United Nations (UN) Security Council;

2. **REAFFIRMS** the Ezulwini Consensus and the Sirte Declaration on the reform of the United Nations Security Council containing the African Common Position, and **CALLS** for its intensive promotion to ensure that Africa speaks with one voice on the issue of Security Council Reform;

3. **TAKES NOTE** of current developments in the intergovernmental Negotiations and **ENCOURAGES** the Committee of Ten Heads of State to continue to promote and defend Africa's interest in the Security Council Reform process;

4. **REQUESTS** the Committee of Ten Heads of States to meet regularly in order to keep abreast of developments, with a view to updating African Leaders accordingly;

5. **ALSO REQUESTS** the African Permanent Representatives to the United Nations of the Committee of Ten to work closely with other African Permanent Representatives to the UN as well as with other Interest Groups in the context of the ongoing intergovernmental Negotiations on the Security Council Reform Process;

6. **FURTHER REQUESTS** the Commission to continue to facilitate the activities of the African Permanent Representatives to the UN of the Committee of Ten to enable them to defend Africa's interest on the basis of the Ezulwuini Consensus and the Sirte Declaration;

7. **CALLS ON** the Committee of Ten to remain seized of this matter until Africa achieves its objectives and report on progress made at the next Ordinary Session of the Assembly in July 2010.

DECISION ON THE ANNEXES TO THE STATUTES OF THE AFRICAN INVESTMENT BANK

The Assembly,

1. **TAKES NOTE** of Decision EX.CL/Dec.550(XVI) of the Executive Council recommending the adoption of the Annexes to the Statutes of the African Investment Bank;

2. **ADOPTS** the Annexes to the Statutes of the African Investment Bank (AIB) including the selection of scenario B, as amended on the distribution of capital and voting rights of the AIB among Member States, and the choice of Special Drawing Rights (SDRs) of the International Monetary Fund as unit of account of the AIB, until the creation of the African single currency;

3. **REQUESTS** the Member States that have not yet done so to sign and ratify the Protocol and the Annexes to the Statutes of the African Investment Bank.

DECISION ON THE BUDGET OF THE AFRICAN UNION FOR THE 2010 FINANCIAL YEAR[2]

Assembly/AU/13(XIV)

The Assembly,

1. **ADOPTS** the Budget of the African Union for the Year 2010 amounting to US$ 250,453,697:

   i. A total amount of US$ 111,763,676 assessed to Member States on the basis of the current Scale of Assessment, which includes the balance of the Programs Budget amounting to US$ 11,171,000;

   ii. A total of US$ 5,000,000 from the fund allocated from the purchase of Washington Office and;

   iii. A total amount of US$ 133,690,021 earmarked for the programmes is secured from International Partners.

2. **ADOPTS** the Budget breakdown among the AU Organs to be as follows:

	Operational Budget in (US$)	Programs Budget in (US$)	Total In (US$)
African Union Commission (AUC)	82,047,121	135,415,745	217,462,866
Pan African Parliament (PAP	9,129,736	5,019,514	14,149,250
African Commission on Human and Peoples' Rights (ACHPR)	2,968,874	1,960,978	4,929,852
African Court on Human and Peoples' Rights (AfCHPR)	6,169,591	1,769,784	7,939,375

[2] Reservation entered by Tunisia

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

	Operational Budget in (US$)	Programs Budget in (US$)	Total in (US$)
Economic Social and Cultural Council (ECOSOCC)	**1,531,500**	-	**1,531,500**
African Union Commission on International Law (AUCIL)	**225,000**		**225,000**
NEPAD	**3,020,854**		**3,020,854**
Advisory Board on Corruption	**500,000**		**500,000**
Peace and Security Council		**695,000**	**695,000**
Total	**105,592,676**	**144,861,021**	**250,453,697**

3. **REQUESTS** the Commission to implement the decision to increase Member States' contribution towards the Peace Fund from six percent (6%) to twelve percent (12%) over a period of three (3) years starting from 2011;

4. **FURTHER REQUESTS** the Commission and the Organs to scale down anticipated activities in 2010 including;

   I. Extraordinary sessions,meetings and seminars of the African Court on Human and Peoples' Rights; and

   II. The sessions of the African Union Commission on International Law.

5. **DECIDES** to postpone to 2011 the full operationalization and implementation of new Organs and programs;

6. **DECIDES** to remove the budgetary allocation of election monitoring under the Pan African Parliament and any other Organ, following the decision that the Commission should harmonize the organization of joint election observation missions with other Organs;

7. **DECIDES** to allocate US$3,020,854 to NEPAD as initial budget for its integration into African Union structures and processes pending:

   i. The approval of its structure by the Policy Organs;

ii. Continued harmonization of its programs with those of the Commission to avoid duplication and ensure coherence.

DECISION ON ZIMBABWE

The Assembly,

1. **RECALLS** Decision EX.CL/Dec.252(XIII) adopted in Sirte, Great Libyan Arab Jamahiriya, in July 2009 on the immediate lifting of sanctions imposed on Zimbabwe;

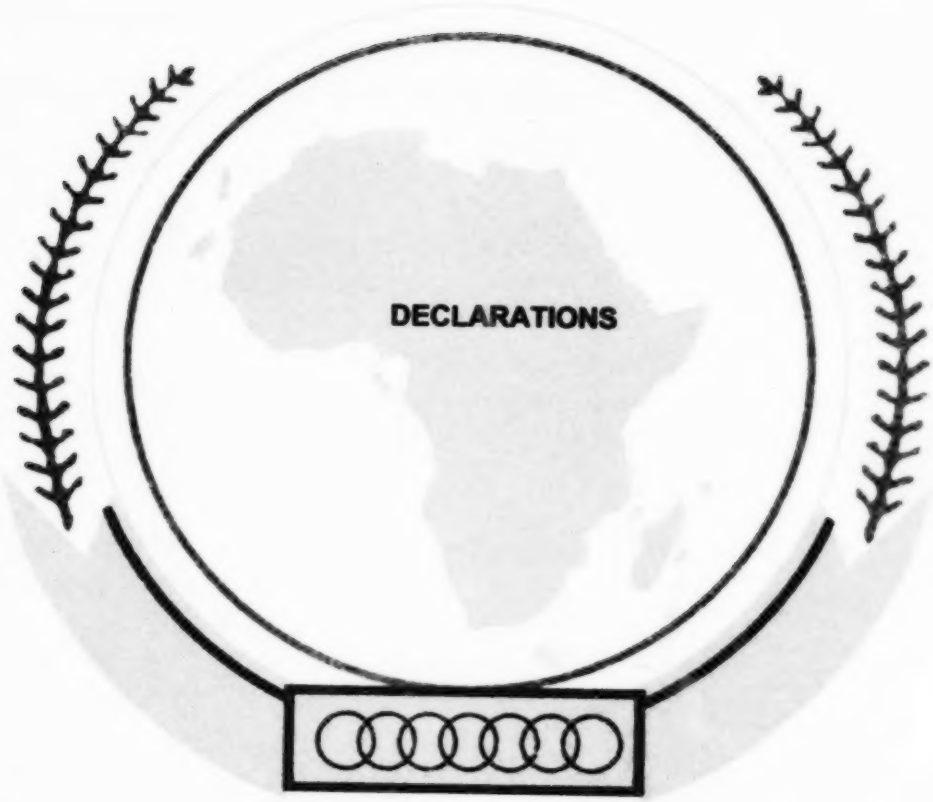
2. **DEPLORES** the absence of the effective implementation of this Decision by the International Community;

3. **DRAWS THE ATTENTION** of Member States and the International Community on the harmful consequences of the non-application of the said Decision on the economic and social stability of Zimbabwe as well as on the well-being of the populations of that country;

4. **INVITES** all Member States and the International Community to give priority to the immediate and permanent lifting of the international sanctions imposed on Zimbabwe;

5. **REQUESTS** the Chairperson of the Commission to ensure the speedy and immediate implementation of this Decision and to report to the next Ordinary Session of the Assembly in July 2010, on all actions undertaken in this regard.

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010



DECLARATIONS

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

ADDIS ABABA DECLARATION ON INFORMATION AND COMMUNICATION TECHNOLOGIES IN AFRICA: CHALLENGES AND PROSPECTS FOR DEVELOPMENT

Doc. Assembly/AU/11(XIV)

WE, the Heads of State and Government of the African Union, meeting in the Fourteenth Ordinary Session of our Assembly in Addis Ababa, Ethiopia on 31 January 2010 and from 1-2 February 2010:

Considering the Abuja Treaty establishing the African Economic Community;

Reaffirming our commitment to the principles and objectives as enshrined in the Constitutive Act of the African Union and our collective commitment to achieve the development of the Continent through the promotion of research in all fields, particularly in the area of science and technology;

Determined to take all the necessary steps to strengthen our common institutions and provide them with the necessary resources to enable them fulfil their mission efficiently including the implementation of the Action Plan of the World Summit on the Information Society (WSIS);

Recalling our commitment to the Millennium Development Goals (MDGs) to achieve the sustainable development of our Continent;

Reaffirming our determination to eliminate poverty, improve public health and education, increase agricultural production, as well as attain the MDGs;

Aware that the attainment of these goals depends not only on the ability of our States to make use of the enormous potential offered by Information and Communications Technologies but also on their will to provide this sector with increased and sustained investment;

Convinced of the powerful catalyzing role that Information and Communication Technologies can play in the development and integration process in Africa, especially in the establishment of a legal and regulatory framework that is harmonized and attractive for investments, shared telecommunications and ICT infrastructure and the convergence of networks, services and administrations;

Welcoming the various initiatives concerning the implementation of the resolutions and recommendations of the two phases of the World Summit on Information Society as well as the international partnerships, including in particular the Connect Africa Initiative, launched in Kigali, Rwanda during the Connect Africa Summit held from 29 to 30 October 2007, the Infrastructure Consortium for Africa, NEPAD, the Africa-EU Partnership for Science, Information Society and Space, the African Information Society Initiative of the United Nations Economic Commission for Africa and the Global Digital Solidarity Fund;

Recalling the Decision of the Executive Council which adopted the Oliver Tambo Declaration to establish a mechanism to accelerate and monitor the implementation of the African Regional Action Plan on the Knowledge Economy (ARAPKE), the Reference Framework for Harmonization of Policies and Regulations on Telecommunications and ICTs in Africa, the Strategies and Action Plans for the Development of Postal Sector in Africa;

Declaring the ICT sector as a sector of top priority in our development programs and therefore encouraging Member States and development partners to consider telecommunications and ICT infrastructure and services, as a basic public utility infrastructure.

1. UNDERTAKE TO:

i) **INTENSIFY** the activities to implement the Reference Framework for Harmonisation of Telecommunication and ICT Policies and Regulations in Africa, the action for the development of postal sector as well as the African Regional Action Plan on the Knowledge Economy;

ii) **STRENGTHEN** national programmes and regional cooperation for the development and interconnection of broadband infrastructures, the deployment of Regional Internet Exchange Points, and the improvement of rural area connectivity based on the principles of technological neutrality, non discrimination and open access, in support of the PIDA and through the use of synergies with the transport and energy sectors;

iii) **ACCORD**, in our Telecommunications/ICT development policies and strategies, particular attention to the postal sector, a vital vehicle for reaching out to our populations in rural areas and the digitalisation of the broadcasting technology in Africa;

iv) **DEVELOP** programmes and actions on training, acquisition of basic competences in Communication and Information Technologies and on capacity building, particularly for national and regional regulatory organs;

v) **PROMOTE** research and development actions as well as an environment favourable to innovation and entrepreneurship in the sector with a view to finding solutions and services suited to the conditions and needs of African users;

vi) **SUPPORT** the effective operationalization of the Forum of Telecommunications Regulators' Assembly as a non-binding Body, and the activities to create local content and socio-economic services adapted to Africa's development imperatives and implement cyber-strategies that guarantee security, freedom, confidentiality and the development of each and everyone;

vii) **ENCOURAGE** harmonization and efficient management of radio frequency spectrum, at both the national and the regional levels, of the scarce resources of the sector (radiofrequency spectrum, numbering plans, etc) and promote a coordinated approach for the efficient development of broad band services;

viii) **PROMOTE** favourable regulatory environment for the implementation of innovative public-private partnership and financing models, the sharing of infrastructure, favourable taxation on ICT equipment as well as all the measures needed at national and regional levels to lower the tariffs and provide better quality of service in the sector.

2. **REQUEST** the Commission to:

i) set, in collaboration with the Regional Economic Communities, the United Nations Economic Commission for Africa, the International Telecommunication Union, higher education and research institutions and the ICT-sector specialised institutions in Africa, an African digital agenda identifying the main stages towards the establishment of an harmonized African ICT market by 2020.

ii) develop a coherent and integrated approach as well as a coordination mechanism involving the key African stakeholders and development partners for the implementation and follow up of this Declaration.

3. **APPEAL** to the development partners, especially the financing institutions, to support the implementation of this Declaration and integrate Telecommunications and ICT into their priorities by granting them financing conditions similar to those of other basic public utility infrastructures.

DECLARATION OF THE ASSEMBLY OF THE AFRICAN UNION ON THE SITUATION IN THE REPUBLIC OF HAITI

WE, the Heads of State and Government of the African Union, meeting in the Fourteenth Ordinary Session of our Assembly in Addis Ababa, Ethiopia on 31 January 2010 and from 1-2 February 2010:

Deeply Touched by the tragedy that has struck the people of Haiti since the earthquake on 12 January 2010 with particularly devastating consequences;

Considering the manifold and great hardships that the people of Haiti have suffered over so many years;

Concerned by the seriousness of the humanitarian situation currently existing in the country;

Conscious of the strong ties and age-old bonds that unite Africa and Haiti as well as their common heritage;

1. **EXPRESSES** its solidarity with the Government and people of Haiti, offers its deepest sympathy to the populations who have been affected and its condolences to those families that have been afflicted;

2. **PAYS TRIBUTE** to the memory of Mr. HEDI ANNABI, Special Representative of the Secretary General of the United Nations and to the memory of all the Representatives of the international community who died during this horrifying tragedy;

3. **COMMENDS** all efforts made by the international community to provide the victims of the earthquake of 12 January 2010 with generous assistance and contribute to the reconstruction of Haiti;

4. **EXPRESSES** its gratitude to those African States which have been supporting these efforts by making financial and material contributions;

5. **URGES** all Member States to show active solidarity towards Haiti and take action to provide a collective response to the challenge brought about by the earthquake;

6. **ENCOURAGES** Member States to provide scholarships to Haitian students affected by the disaster;

7. **REQUESTS** the Chairperson of the Commission to set up, as quickly as possible, in collaboration with the African Development Bank, an African Humanitarian Fund for Haiti to which all Member States are requested to make a contribution;

8. **FURTHER REQUESTS** the Chairperson to undertake bold action to mobilize funds from all segments of the African society;

9. **CALLS ON** Africans of the Diaspora to contribute to this Fund;

10. **FURTHER REQUESTS** the Chairperson of the Commission to examine the modalities of establishing an African humanitarian mechanism to provide a rapid response, in a coordinated, harmonized and efficient way, to serious humanitarian situations which could occur in Africa and in other parts of the world;

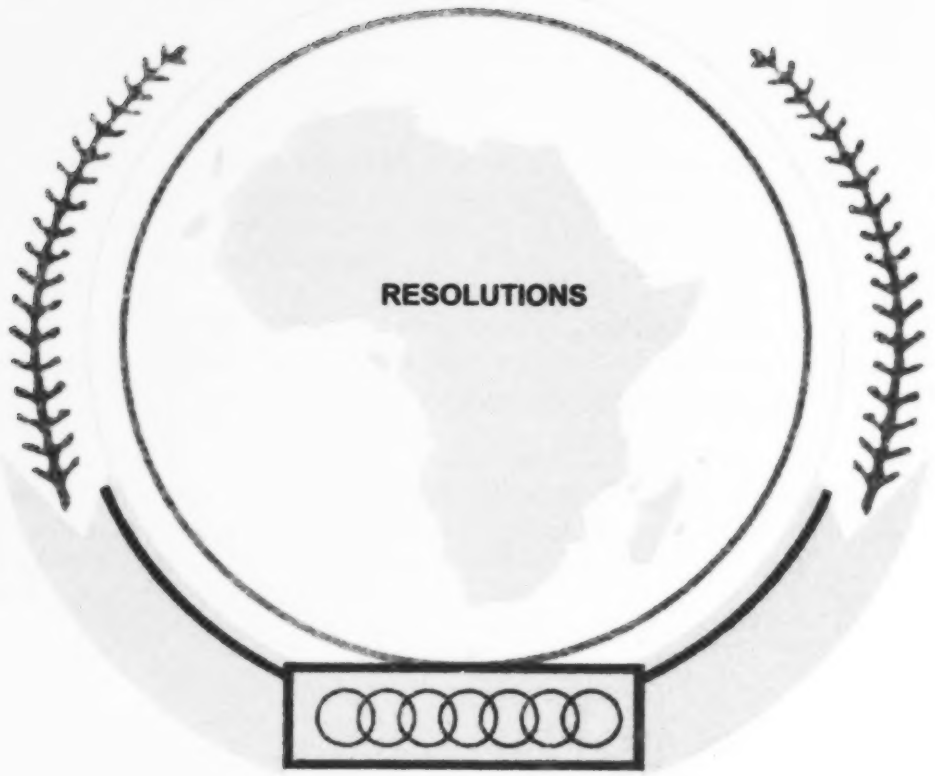
11. **REQUESTS** the African Union to send a mission to Haiti as soon as possible, to offer the sympathy and express the solidarity of all the peoples of Africa to the Haitian people.

DECLARATION OF THE ASSEMBLY OF THE AFRICAN UNION ON THE ETHIOPIAN AIRLINES PLANE CRASH ON 25 JANUARY 2010

WE, the Heads of State and Government of the African Union, meeting in the Fourteenth Ordinary Session of our Assembly in Addis Ababa, Ethiopia, from 31 January to 2 February 2010;

1. **EXPRESS** our deep sorrow and regret for the loss of life caused by the tragic air crash on 25 January 2010 involving an Ethiopian Airlines aircraft Flight 409 flying from Beirut, Lebanon to Addis Ababa, Ethiopia;

2. **CONVEY** our heart-felt condolences and sympathy to the Government and people of the Federal Democratic Republic of Ethiopia, Ethiopian Airlines and the families of all the victims of that tragic air crash.



RESOLUTIONS

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

RESOLUTION ON THE DECISION OF THE CONFEDERATION OF AFRICAN FOOTBALL (CAF) TO SUSPEND TOGO FROM THE NEXT TWO AFRICAN CUP OF NATIONS TOURNAMENTS

The Assembly,

1. **CONVEYS** its heart-felt condolences and sympathy to the Government and people of the Republic of Togo and the families of the victims of the terrorist attack of 8 January 2010 against the Togolese National Football Team attending the African Cup of Nations tournament in the Angolan Province of Cabinda;

2. **NOTES** that the Togolese team suffered from the incident, loss of lives, injury and major psychological shock which can neither be erased nor ignored;

3. **ALSO NOTES WITH REGRET** the decision by the Confederation of African Football (CAF) to suspend the Togolese National team from the next two (2) African Cup tournaments on account of its withdrawal from the competition after the terrorist attack on the team;

4. **FURTHER NOTES** the CAF rules barring interference by Governments in the running of football and is of the view that such rules cannot apply in this case because Governments ultimately have the responsibility for the welfare and security of their citizens;

5. **CALLS ON** CAF and its governing body to reconsider its decision to suspend Togo, in order to maintain the spirit of football aimed at bringing people together in the African spirit of unity, compassion and solidarity.

Adopted by the Fourteenth Ordinary Session of the Assembly in Addis Ababa, Ethiopia on 2 February 2010

RESOLUTION ON SOLAR ENERGY IN THE SAHARA[3]

The Assembly,

Considering the development of solar energy which tends to be a substitute for thermal energy, the sources of which will dwindle;

Considering the many inconveniences related to atomic energy;

Considering that the Sahara is an inexhaustible source of solar energy;

Considering that developed countries are in the process of establishing increasingly powerful solar stations in the Sahara as an alternative source of energy;

Considering the fact that Africa's tardiness in the competition for access to solar energy will result in lack of competitiveness on the part of Continent with a negative impact on its economy;

DECIDES to:

i. **REQUEST** all countries which have part of the Sahara within their territories to consider that the solar energy potential in this part of our Continent is a precious asset which should be managed for the benefit of our Continent;

ii. **REQUEST** the Commission to conduct a study on the solar energy issue at technical experts' level to backstop efforts to harness solar energy and to report to the Assembly at its Ordinary Session in January 2011 through the Executive Council and the Permanent Representatives Committee on the financial implications for the implementation of this Resolution.

[3] Reservation entered by Algeria

Annex II to the letter dated 12 March 2010 from the Permanent Representative of Malawi to the United Nations addressed to the President of the General Assembly

(Original: English and French)

Decisions adopted by the Executive Council of the African Union at its sixteenth ordinary session

AFRICAN UNION
الاتحاد الأفريقي

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EXECUTIVE COUNCIL
Sixteenth Ordinary Session
25 – 29 January 2010
Addis Ababa, ETHIOPIA

EX.CL/Dec.521-555(XVI)

DECISIONS

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

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Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

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DECISION ON THE CONTRIBUTIONS OF MEMBER STATES
Doc. EX.CL/535(XVI)c

The Executive Council,

1. **TAKES NOTE** of the Report on Contributions of Member States;

2. **COMMENDS** Member States that are up-to-date in the payment of their contributions to the regular budget and **ENCOURAGES** other Member States to settle entirely and on time their assessed contributions;

3. **WELCOMES** the initiatives undertaken by Seychelles and **ENCOURAGES** it to settle its arrears in conformity with the rules in force;

4. **COMMENDS** Burundi and Sierra Leone for their commitment to continue to honour their respective payment schedules;

5. **DECIDES** to exempt the Democratic Republic of the Congo from sanctions following its efforts to settle its arrears of contributions in conformity with the rules in force;

6. **DECIDES** to maintain sanctions against the following Member States:

   i) Eritrea
   ii) Seychelles

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE AU CALENDAR OF MEETINGS FOR THE PERIOD JANUARY TO DECEMBER 2010
Doc. EX.CL/ 535(XVI)d

The Executive Council,

1. **TAKES NOTE** of the Draft 2010 Calendar of Meetings;

2. **REAFFIRMS** the relevant provisions of its two previous Decisions EX.CL/Dec.419(XIII) and EX.CL./Dec.458(XIV) adopted by its Thirteenth and Fourteenth Ordinary Sessions held in Sharm El Sheikh, Egypt, from 27 to 28 June 2008 and in Addis Ababa, Ethiopia, from 26 to 30 January 2009 respectively;

3. **WELCOMES** the efforts by the Commission and in particular the Conference Services Directorate (CSD) aimed at ensuring a timely rational and improved preparation of the Calendar of Meetings;

4. **ENDORSES** the Calendar of Meetings for the period January to December 2010;

5. **EMPHASISES** that all meetings of the Commission should be organised and serviced by CSD;

6. **STRESSES** the need to ensure that all meetings proposed for inclusion in the Calendar of Meetings are properly aligned with the objectives and priorities of the African Union as set out in the Strategic Plan of the African Union Commission 2009 – 2012;

7. **DECIDES** that programmes are first considered and approved by the Sub-Committee on Conferences and Programmes prior to their inclusion in the Draft Budget for consideration by the Permanent Representatives' Committee (PRC) Advisory Sub-Committee on Administrative, Budgetary and Financial Matters;

8. **FURTHER DECIDES** that for smooth consideration and adoption of the Draft Calendar of Meetings, the Commission should ensure that no single Department exceeds three (3) Ministerial Meetings in a year and that the principle of back-to back Meetings is strictly adhered to, where they are identical in terms of subject and participation;

9. **EMPHASISES** that meetings that are not in the approved Calendar of Meetings should be removed from the Programme Budget, and likewise,

meetings not included in the approved Programme Budget should not remain in the Calendar of Meetings.

10. **ALSO EMPHASISES** that whenever the Commission deems it necessary to organize additional meetings over and above what is contained in the approved Calendar of Meetings, such additional meetings should be submitted to the PRC through the Bureau of its Sub-Committee on Conferences and Programmes for approval;

11. **REQUESTS** the Commission to prepare and submit to the PRC Sub-Committee on Conferences and Programmes a quarterly report on the implementation of the approved Calendar of Meetings.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE AFRICAN UNION STAFF REGULATIONS AND RULES Doc. EX.CL/536(XVI)

The Executive Council,

1. **TAKES NOTE** of the recommendations of the Permanent Representatives Committee (PRC) on the Draft Staff Regulations and Rules of the African Union;

2. **ALSO TAKES NOTE** that since the transformation of the Organization of African Unity (OAU) into the African Union (AU), the Commission and all other AU Organs have been using the 1993 OAU Staff Regulations and Rules and that the AU cannot continue its operation without appropriate Staff regulations and rules;

3. **REQUESTS** the PRC through its Advisory Sub-Committee on Administrative, Budgetary and Financial Matters to complete the review and finalization of the Draft African Union Staff Regulations and Rules for submission and adoption by the next Ordinary Session of the Assembly upon the recommendation of the Executive Council in Kampala, Uganda in July 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE BUDGET OF THE AFRICAN UNION FOR THE 2010 FINANCIAL YEAR[1] DOC. EX.CL/537(XVI)

The Executive Council,

1. **APPROVES** the Budget of the African Union (AU) for the Year 2010 amounting to US$250,453,697, to the Assembly for adoption as follows:

   i) A total amount of US$ 111,763,676 assessed to Member States on the basis of the current Scale of Assessment, which includes the balance of the Programs Budget amounting to US$ 11,171,000;

   ii) A total of US$ 5,000,000 from the fund allocated from the purchase of the Washington Office;

   iii) A total amount of US$133,690,021 earmarked for the programs is secured from International Partners.

2. **ALSO APPROVES** the Budget breakdown among the AU Organs as follows:

	Operational Budget in (US$)	Programs Budget in (US$)	Total in (US$)
African Union Commission (AUC)	**82,047,121**	**135,415,745**	**217,462,866**
Pan African Parliament (PAP)	**9,129,736**	**5,019,514**	**14,149,250**
African Commission on Human and Peoples' Rights (ACHPR)	**2,968,874**	**1,960,978**	**4,929,852**
African Court on Human and Peoples' Rights (AfCHPR)	**6,169,591**	**1,769,784**	**7,939,375**
Economic Social and Cultural Council (ECOSOCC)	**1,531,500**	-	**1,531,500**
African Union Commission on International Law (AUCIL)	**225,000**		**225,000**

[1] **Reservation entered by Tunisia**

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

	Operational Budget in (US$)	Programs Budget in (US$)	Total in (US$)
NEPAD	**3,020,854**		**3,020,854**
Advisory Board on Corruption	**500,000**		**500,000**
Peace and Security Council		**695,000**	**695,000**
Total	**105,592,676**	**144,861,021**	**250,453,697**

3. **APPROVES** that the Commission implements the decision to increase Member States` contribution towards the Peace Fund from 6% to 12% over a period of three (3) years starting from 2011;

4. **APPROVES** that the Commission and the Organs scale down anticipated activities in 2010 including:

   a) Extraordinary sessions, meetings and seminars of the African Court on Human and Peoples' Rights;

   b) The sessions of the African Union Commission on International Law.

5. **ALSO APPROVES** that the full operationalization and implementation of new Organs and programs be postponed to 2011;

6. **FURTHER APPROVES** that budgetary allocation of election monitoring under the Pan African Parliament and any other Organs be removed and allocated to the budget of the Commission, following the decision that the Commission should harmonize the organization of joint elections observation missions within the African Union;

7. **FINALLY APPROVES** to allocate US$3,020,854 to NEPAD as initial budget for its integration into the African Union structures and processes pending:

   i) The approval of its structure by the Policy Organs;

   ii) Continued harmonization of its programs with those of the Commission to avoid duplication and ensure coherence.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE THEME OF THE JANUARY 2011 SUMMIT EX.CL/565(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Chairperson of the Commission on initiatives taken by the Commission in promoting the Strategic Plan of the African Union Commission 2009-2012 in Africa, including the Pillar on the Shared Values of the African Union, particularly with regard to putting in place a pan-African Architecture on Governance as a platform for dialogue between the various stakeholders;

2. **RECOMMENDS** to the Assembly that the theme of the Ordinary Session of the Assembly in January 2011 be dedicated to the Shared Values of the African Union, including identifying obstacles and measures to be adopted to facilitate continental integration based on such values.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE STATUS OF SIGNATURE AND RATIFICATION OF OAU/AU TREATIES DOC. EX.CL/539(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report on the Status of Signature and Ratification of OAU/AU Treaties;

2. **WELCOMES** efforts made by the Commission and Member States during the Signing Week, which is organised in December of every year, aimed at ensuring that treaties are signed;

3. **ALSO WELCOMES** the initiative taken by the Commission to arrange a ceremony for signing of OAU/AU Treaties by the Heads of State and Government of the Union, during the Fourteenth Ordinary Session of the Assembly and **REQUESTS** it to ensure that signing takes place at all future ordinary sessions of the Assembly.

4. **REITERATES** its appeal to Member States to prioritize and accelerate the signing and ratification/accession to OAU/AU Treaties and in particular to the Member States which are not yet states parties to the following:

   i) The Treaty establishing the African Economic Community (1991);

   ii) The Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament (2001);

   iii) The Protocol relating to the establishment of the Peace and Security Council of the African Union (2002);

   iv) The African Charter on Democracy, Elections and Governance (2007);

   v) The Protocol on the Statute of the African Court of Justice and Human Rights (2008);

   vi) The Protocol on the African Investment Bank (2009) and its Annexes;

   vii) The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) (2009);

   viii) The Revised Constitution of the African Civil Aviation Commission (2009).

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

5. **ALSO REITERATES** its appeal to Member States to commence the process of ratification of existing treaties not yet ratified or acceded to, within the next one (1) year; and for future treaties, within one (1) year of their adoption in conformity with Decision EX/CL/Dec.459 (XIV) adopted by the Fourteenth Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in January 2009;

6. **FURTHER REITERATES ITS APPEAL** to the Pan-African Parliament (PAP), the Economic, Social and Cultural Council (ECOSOCC), the African Commission on Human and Peoples' Rights (ACHPR) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) to assist with advocacy and sensitization of Member States to expedite the process of signature/ratification/accession to OAU/AU Treaties;

7. **REITERATES ITS REQUEST** to the Commission to expedite the implementation of previous decisions on the review of OAU/AU Treaties, particularly those related to the need to harmonize the OAU/AU Treaties in the various AU working languages;

8. **REQUESTS** the Commission to follow up and report on a regular basis to the Executive Council on progress made in the implementation of this Decision.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT AND RECOMMENDATIONS OF THE COMMISSION ON THE STUDY ON THE AFRICAN UNION REPRESENTATIONAL OFFICES DOC. EX. CL/541(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report and Recommendations of the Commission on the Study by Consultants on the African Union (AU) Representational Offices;

2. **REQUESTS** the Commission to further review the Report of the Committee and Recommendations of the Commission on the Study undertaken by the Consultants on the AU Representational Offices, including identifying priorities with specific financial implications and proposing a management plan with timelines in collaboration with the Permanent Representatives' Committee (PRC) Sub-Committees on Structures and Reform, Multilateral Cooperation, as well as the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters; and to submit a report and appropriate recommendations to a meeting of Senior Officials of Member States;

3. **FURTHER REQUESTS** Member States to forward proposals and comments to the Commission as soon as possible on how to operationalize the Report of the Consultants and the recommendations by the Commission;

4. **ALSO REQUESTS** the Commission to take necessary steps to correct the weaknesses identified in the current offices so as to make them more efficient;

5. **DECIDES** that the AU Office for Southern Africa should remain in Lilongwe, Malawi;

6. **ALSO DECIDES** that no new offices should be established until the study is completed, with priority being given to that of Vienna, and that the financial implications should be provided.

7. **REQUESTS** the Commission to report on the implementation of this Decision to the Executive Council in due course.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON COMPLIANCE WITH THE FINANCIAL RULES AND THE USE OF ARREARS IN THE SUPPLEMENTARY BUDGET OF THE AFRICAN UNION

The Executive Council,

1. **TAKES NOTE** of the recommendations of the Permanent Representatives Committee (PRC) on the Report of the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters, particularly those concerning virement requests and the supplementary budget for the 2009 fiscal year;

2. **DECIDES** as follows:

   a) All Organs of the African Union (AU) including the Commission must submit to the PRC the quarterly report of the execution of their budget and respect the relevant provisions of Article 41 of the Financial Rules during the consideration of ordinary and supplementary budgets;

   b) All Organs of the AU should strictly comply with the Financial Rules and Regulations of the AU and establish strict control measures to prevent unauthorised use and misappropriation of funds, losses of cash, stores and other assets, and to implement the provisions contained in Section B of the Financial Rules and Regulations of the African Union;

   c) The Commission should strictly apply the relevant provisions of the Financial Rules and Regulations of the AU to violators of the rules;

   d) The utilization of arrears by all organs of the AU should be subject to the pre-approval of the Executive Council;

   e) The Commission should strengthen its internal audit system;

3. **REQUESTS** the Commission to follow-up on the implementation of this Decision and to report thereon at every ordinary session of the Executive Council.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE SITUATION OF REFUGEES, RETURNEES AND INTERNALLY DISPLACED PERSONS IN AFRICA
Doc. EX.CL/542(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Situation of Refugees, Returnees and Internally Displaced Persons in Africa;

2. **EXPRESSES GRATITUDE** to Member States that grant asylum and extend assistance to refugees and internally displaced persons; and **THANKS** the international community, in particular the humanitarian agencies for their continued support and assistance to the victims of forced displacement in Africa;

3. **STRESSES** the need for Member States to address the root causes of forced displacement in Africa;

4. **CALLS UPON** Member States to speed up the signing, ratification and effective implementation of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) adopted during the African Union Special Summit on Refugees, Returnees and Internally Displaced Persons in October 2009 in Kampala, Uganda;

5. **WELCOMES** the visits undertaken by the Permanent Representatives' Committee (PRC) Sub-Committee on Refugees, Returnees and Internally Displaced Persons in accordance with its Programme of Work and **REQUESTS** that the outcomes of these visits be included in the bi-annual Report on the Activities of the PRC Sub-Committee on Refugees to the Executive Council;

6. **REQUESTS** the Commission to elaborate a Plan of Action for the promotion and implementation of the outcomes of the Special Summit on Refugees, Returnees and Internally Displaced Persons;

7. **FURTHER REQUESTS** the Commission in collaboration with Member States, relevant humanitarian organizations, in particular the AU partners to provide accurate statistics on refugees, returnees and internally displace persons, and also to take into account additional information provided by various delegations during the PRC meetings.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE ACTIVITY REPORT OF THE SUB-COMMITTEE ON MULTILATERAL COOPERATION DOC. EX. CL/543(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Sub-Committee of the Permanent Representatives' Committee (PRC) on its activities relating to Multilateral Cooperation and on Africa's strategic partnerships;

2. **ENDORSES** the recommendations contained in the Report;

3. **STRESSES** the coordinating role of the Commission in the management of partnerships in collaboration with the PRC and Africa's diplomatic representations in the capitals of countries/regions that have cooperation arrangements with Africa;

4. **REQUESTS** Member States and the Commission to ensure that partners respect the Banjul format on Africa's participation in meetings with them, and Africa's representatives outside the Continent to respect the Decisions of the Assembly and the Executive Council on partnerships;

5. **REQUESTS** the Sub-Committee and the Commission to continue to work in tandem towards the successful implementation of the outcomes of the various Summit/Fora and the attainment of the objectives of Africa's strategic partnerships.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE SECOND AFRICA-SOUTH AMERICA (ASA) SUMMIT DOC. EX. CL/544 (XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Second Africa-South America (ASA) Summit held in Margarita Island, Venezuela, from 22 to 27 September 2009 and the ASA Declaration;

2. **WELCOMES** the hosting by the Government of Venezuela of the Second ASA Summit in Margarita Island, Venezuela, from 22 to 27 September 2009;

3. **ALSO TAKES NOTE** of the difficulties encountered by the African side with respect to the organization of the meetings with the South American side and, in particular, the preparatory meetings of the eight (8) Working Groups;

4. **RECALLS** that the Commission and the Permanent Representatives Committee (PRC) through its Sub-Committee on Multilateral Cooperation are charged with the responsibility of managing the partnership processes and that Africa's representatives in South America should take due note of this and liaise with them on all issues relating to this summit process;

5. **TAKES NOTES** of the important decisions taken by the ASA Summit regarding the establishment of the ASA Pro-Tempore Secretariat in Margarita Island and the Presidential Committee to develop ASA's Strategic Plan and **REQUESTS** that their roles be clearly defined so as to ensure their value addition to the ASA Summit process;

6. **ALSO TAKES NOTES** of the establishment of the Bank of the South and **REQUESTS** the Commission to explore the possibility of opening subscription to the Bank to African countries so as to make it an ASA institution;

7. **REQUESTS** the Commission to deploy all efforts to produce a harmonized Implementation Plan/Programme within the period stipulated in the Margarita Declaration for approval by the Ministers of Foreign Affairs of both sides meeting on the margins of the 65th Session of the United Nations General Assembly in New York;

8. **DECIDES** as follows:

   i) In determining the dates and venues of summits, the side convening will ensure that it obtains the agreement of the other side before it proceeds with the preparations;

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

ii) The principle of rotating the venues should be respected and therefore, the meetings of the eight (8) Working Groups at bi-regional level will be alternated between Africa and South America unless otherwise decided by the competent organs of both sides;

iii) In the preparation and management of summits and other meetings the two sides should share information and conduct them on the basis of co-chairing and joint secretariat;

iv) Africa's representatives in South America should continue to make contributions to the ASA process in consultation and coordination with the PRC and the Commission;

v) The responsibility and obligations of host countries on both sides, vis-à-vis the Commission, must be defined in a host agreement to be signed between the Commission and the host country.

9. **WELCOMES** the offer by the Great Libyan Arab Jamahiriya to host the next ASA Summit in 2011, on a date to be determined through consultations.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE FOURTH MINISTERIAL CONFERENCE OF THE FORUM ON CHINA-AFRICA COOPERATION (FOCAC) DOC. EX. CL/544(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Fourth Ministerial Conference of the Forum on China-Africa Cooperation (FOCAC) held in Sharm El Sheikh, Egypt, from 6 to 9 November 2009 and the Sharm El Sheikh Declaration and Plan of Action;

2. **ENDORSES** the recommendations contained therein;

3. **REITERATES** that the Commission is charged with the responsibility of managing and coordinating the FOCAC process in consultation with the Regional Economic Communities and the Permanent Representatives Committee (PRC) in Addis Ababa, Ethiopia;

4. **URGES** all Member States to implement the decisions taken in Sharm El Sheikh and the Plan of Action, and to report regularly on progress made;

5. **NOTES** that the Follow-up Mechanism of FOCAC was established in 2001 before the establishment of the African Union and **REQUESTS** the Commission and Member States to initiate action with China to review the Mechanism in order that the Commission and the PRC play a central coordinating role in the FOCAC process as already decided by the Assembly;

6. **ALSO REQUESTS** the Commission to take all necessary measures to ensure the implementation of this decision and to report regularly to Council;

7. **COMMENDS** the Government of the People's Republic of China for successfully implementing the Beijing FOCAC Plan of Action of 2006-2009;

8. **EXPRESSES APPRECIATION** for the new commitments contained in the Sharm El Sheikh Plan of Action as well as the measures announced by the Chinese Prime Minister at the Fourth FOCAC Ministerial Conference;

9. **ALSO EXPRESSES APPRECIATION** to Egypt for successfully hosting the Fourth FOCAC Ministerial Conference;

10. **TAKES NOTE** that the Fifth FOCAC Ministerial Conference which will take place in 2012 in China and **WELCOMES** the offer by South Africa to host the Sixth Ministerial Conference in 2015 when it is Africa's turn to host.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE SECOND KOREA-AFRICA FORUM DOC. EX. CL/544(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Second Korea-Africa Forum held in Seoul, Republic of Korea, from 23 to 25 November 2009 and the Seoul Declaration, the Framework for Korea-Africa Development Cooperation 2009-2012 and the Korea-Africa Green Growth Initiative 2009-2012;

2. **ENDORSES** the recommendations contained therein;

3. **COMMENDS** the Government of the Republic of Korea for successfully hosting the Forum and for working closely with the Commission and the Permanent Representatives Committee (PRC) in accordance with the established format of the Forum;

4. **EXPRESSES APPRECIATION** to the Government of the Republic of Korea for the new commitments contained in the Seoul Declaration and the Framework for Korea-Africa Development Cooperation 2009-2012;

5. **REQUESTS** the PRC through its Sub-Committee on Multilateral Cooperation to work with the Commission on the implementation of the outcomes of the Second Korea-Africa Forum;

6. **FURTHER REQUESTS** the Commission in collaboration with Member States, to take all necessary measures to implement the outcomes of the Second Forum and report to the Executive Council as appropriate.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON ELECTIONS OBSERVATION

The Executive Council,

1. **TAKES NOTE** of the recommendations of the Permanent Representatives Committee on the coordination of elections observation by the Organs of the African Union;

2. **WELCOMES** the efforts deployed by the Commission to accompany electoral processes within Member States, especially the deployment of observer missions before and during elections, in accordance with the Durban Declaration of July 2002 on the principles governing democratic elections in Africa;

3. **REQUESTS** the Commission, under a centralized budget managed by the Department of Political Affairs, to coordinate the organisation of joint elections observation missions with the Pan-African Parliament and other concerned Organs.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON AFRO-ARAB COOPERATION
Doc. EX.CL/570(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report on the Thirteenth Session of the Standing Commission for Afro-Arab Cooperation (SCAAC) held in Tripoli, Libya, from 10 to 11 October 2009;

2. **WELCOMES** the convening of the Thirteenth Session of SCAAC, after a period of eight (8) years;

3. **EXPRESSES APPRECIATION** to the Government and People of the Great Libyan Arab Jamahiriya for hosting this important Session;

4. **WELCOMES** the offer by the Great Libyan Arab Jamahiriya to host the Second Afro-Arab Summit in Tripoli during the second half of October 2010 and **REQUESTS** the Chairperson of the Commission in collaboration with the Secretary General of the League of Arab States to ensure the successful preparation of the Summit;

5. **DECIDES** to transform the Afro-Arab Cultural Institute into the Afro-Arab Institute for Cultural and Strategic Studies;

6. **ALSO WELCOMES** the establishment of a Preparatory Committee, composed of Senior Officials from Burkina Faso, Ghana, Egypt, Tanzania and the African Union Commission on the Africa side and Algeria, Libya, Kuwait, Morocco and the League of Arab States on the Arab Side to coordinate and guide the technical and material preparation for the Second Afro-Arab Summit; and **CALLS UPON** the Chairperson of the Commission in collaboration with the Secretary General of the League of Arab States to provide all necessary support to the Committee to enable it perform its tasks efficiently;

7. **APPEALS** to Ministers of Foreign Affairs of all Member States of SCAAC to participate at the Fourteenth Session of SCAAC, which will be held in Cairo, Egypt on 4 March 2010 to consider important issues such as the Second Afro Arab Summit and **REQUESTS** the Commission, in collaboration with the League of Arab States, to ensure adequate preparation for the Session;

8. **TAKES NOTE** of the postponement of the Joint Afro-Arab Ministerial Meeting on Agricultural Development and Food Security planned for December 2009, and **URGES** all Ministers of Agriculture of Member States to confirm their participation at this important meeting which will take place in Sharm El Sheik, Egypt from 14 to 16 February 2010;

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

9. **TAKES NOTE** of the postponement of the High-Level Experts Meeting on Investment Prospects in Africa and the Arab World, planned for December 2009, and **CALLS UPON** the Commission in collaboration with the League of Arab States to take all necessary measures to ensure that the meeting takes place in April 2010;

10. **REQUESTS** the Commission to follow up on the implementation of this Decision and report to the next Ordinary Session of the Executive Council in July 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE PARTICIPATION OF THE COMMISSION OF THE AFRICAN UNION IN THE WORLD EXPOSITION IN SHANGHAI, CHINA DOC EX.CL/550 (XVI)

The Executive Council,

1. **TAKES NOTE** of the Report on the participation of the Commission in the Shanghai World Exposition held in Shanghai, China, from 1 May to 31 October 2010;

2. **WELCOMES** and supports the Commission's efforts on preparing its participation in an internationally organized event outside of Africa;

3. **REQUESTS** the Commission to undertake activities related to the Shanghai World Exposition, and focus on coordination and representation aspects for the Continent in order to avoid duplication;

4. **ALSO REQUESTS** the Commission to explore cost effective means of participating in the Shanghai Exposition, including the reduction of the time spent in Shanghai;

5. **FURTHER REQUESTS** Member States to display the new AU Flag alongside their national flags at their respective stands;

6. **FINALLY REQUESTS** the Commission to take appropriate measures to establish a legal framework aimed at the protection of intellectual property rights of Africa's cultural artefacts.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REVIEW OF THE SCALE OF ASSESSMENT

The Executive Council,

1. **TAKES NOTE** of the Meeting of the Ministerial Committee on the Review of the Scale of Assessment and the Study on the Review of the Scale of Assessment, held in Addis Ababa, Ethiopia on 29 January 2010;

2. **DECIDES** as follows:

   a) To refer the Study of the consultant to a Group of Experts from eleven (11) Member States in February/March 2010 for further elaboration and recommendations to the Ministers;

   b) The Experts should be guided by the principles of capacity to pay, fairness and equity;

   c) The Committee should meet and consider the Report of the Experts in April/May 2010;

   d) The current scale of assessment shall remain in force until the next African Union Summit in July 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE SEVENTH MEETING OF THE AFRICAN UNION/REGIONAL ECONOMIC COMMUNITIES/ UNITED NATIONS ECONOMIC COMMISSION FOR AFRICA AND AFRICAN DEVELOPMENT BANK COORDINATION COMMITTEE

DOC. EX.CL/552 (XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Seventh Meeting of the African Union (AU) Commission/Regional Economic Communities (RECs)/United Nations Economic Commission for Africa (UNECA) and African Development Bank (AfDB) Coordination Committee and the recommendations contained therein;

2. **ENCOURAGES** the Commission to continue to coordinate and harmonise the activities of the RECs to make greater impact on the integration process in Africa;

3. **WELCOMES** the efforts by the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and the Southern Africa Development Community (SADC) to create a single Free Trade Area (FTA) within the tripartite arrangement and **ENCOURAGES** all other RECs to draw experiences from the COMESA-EAC and SADC cooperation framework as well as to engage in dialogue towards harmonizing their approach on matters of regional and continental integration with the aim of accelerating continental integration;

4. **SUPPORTS** the appeal made by RECs requesting Member States to consider additional funding mechanisms, like in ECOWAS, as means of providing the AU and RECs with adequate and sustainable funds for the implementation of regional and continental integration.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE ESTABLISHMENT OF THE FUND FOR AFRICAN WOMEN

The Executive Council,

1. **TAKES NOTE** of the Report of the Ministerial Meeting of Gender and Women's Affairs held in Banjul, The Gambia on 21 November 2009;

2. **ENDORSES** the recommendations of the Report of the Ministerial Meeting of Gender and Women's Affairs, including on the Feasibility Study of the Trust Fund for African Women;

3. **ENDORSES** the name recommended by the Ministers of Gender and Women's Affairs of the Fund as *"Fund for African Women"*.

4. **REQUESTS** the Commission to develop a detailed proposal and a resource mobilization strategy within the context of the integration of NEPAD into the African Union structures in line with the Assembly decisions to avoid duplication.

5. **REQUESTS** the Commission to implement the Decision on the Fund for African Women and to report on the progress made to the next Ordinary Session of the Executive Council in July 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON AFRICAN INTEGRATION
Doc. EX.CL/572(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Chairperson of the Conference of African Ministers in charge of Integration (COMAI);

2. **WELCOMES** the offer by the Great Libyan Arab Jamahiriya to host the Fifth COMAI Meeting in May 2010;

3. **REQUESTS** all Member States to take appropriate measures to effectively implement the recommendations of African Ministers in charge of Integration as endorsed by the Assembly of the Union;

4. **ALSO REQUESTS** the Commission in collaboration with the Regional Economic Communities, the partners and all the stakeholders to implement the recommendations in their respective areas of competence and to provide Member States with the necessary support to speed up the process of integration in the Continent;

5. **FINALLY REQUESTS** the Chairperson of COMAI to present an annual report on the status of integration to the January/February sessions of the Assembly.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE SEVENTH ORDINARY SESSION OF THE AFRICAN UNION (AU) LABOUR AND SOCIAL AFFAIRS COMMISSION (LSAC) – Doc. EX.CL/555(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Seventh Ordinary Session of the African Union (AU) Labour and Social Affairs Commission (LSAC), held in Addis Ababa, Ethiopia from 28 September to 02 October 2009;

2. **REQUESTS** the Commission to convene the Eighth Ordinary Session of the AU LSAC in April 2011;

3. **DECIDES** that the ordinary sessions of the AU LSAC will be organized every two (2) years in reference to the Executive Council Decision to reduce meetings and also to alternate with the ordinary sessions of the Ministers of Social Development which is also to be held every two (2) years;

4. **REQUESTS** Member States to accelerate the implementation of the Productivity Agenda for Africa and the Programme on upgrading the Informal Economy by mobilizing the necessary resources, including support from development partners.

5. **ALSO REQUESTS** the expert groups to immediately begin work on mechanisms for the implementation, monitoring and evaluation of the Agenda and the Programme on Upgrading the Informal Economy.

6. **FURTHER REQUESTS** Member States to Build capacities and enhance the skills of the workforce in the informal economy through the restructuring of vocational training for the youth and their integration into gainful employment

7. **ACKNOWLEDGES** the progress made in the implementation of the Ouagadougou Plan of Action as noted in the Report of the Chairperson of the AU Commission on Employment and Poverty Alleviation (2004-2009);

8. **REQUESTS** Member States to submit before the end of 2010 to the Commission their implementation report for the next biennale Ouagadougou Extraordinary Summit Report for the period 2009-2011;

9. **ALSO REQUESTS** the Commission to launch at regional level, the AU Commission Initiative against Trafficking Campaign (AU.COMMIT) and **APPEALS** to Member States to facilitate the ratification of the AU and United Nations (UN) instruments on trafficking in human beings;

10. **CALLS ON** Member States to cultivate the necessary expertise to actively participate and influence deliberations within the Committees of the

International Labour Conference and **REAFFIRMS** that the African Group preparatory meetings should commence prior to both the official opening of the 99th International Labour Commission (ILC) and the pre-conference meeting of the Government Group.

11. **CALLS ON** Member States to elaborate authenticated and comprehensive data on effects of the crisis, as there is potential for exploitation of the crises by some employers in their dealings with unions and workers and **REQUESTS** Member States to give support to the informal economy which should be enhanced;

12. **CALLS ON** Governments, as well as workers and employers organizations to cooperate on efforts to improve health at work and thus increase productivity;

13. **ENDORSES** the Resolution on the ratification of the instrument for the amendment of the 1986 Constitution of the International Labour Organization;

14. **ALSO ENDORSES** the Declaration on Global Jobs Pact;

15. **FURTHER ENDORSES** the Resolution on Palestinian Workers.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE SECOND AFRICAN UNION CONFERENCE OF MINISTERS RESPONSIBLE FOR MARITIME TRANSPORT
DOC. EX.CL/556(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Second African Union Conference of Ministers responsible for Maritime Transport, held in Durban, South Africa, from 12 to 16 October 2009;

2. **ENDORSES** the African Maritime Transport Charter, the Durban Resolution on Maritime Safety, Maritime Security and Protection of the Environment, and the Revised and Updated Maritime Transport Plan of Action adopted by the Ministers in charge of Maritime Transport in Africa;

3. **REQUESTS** Member States to speed up ratification of the African Maritime Transport Charter so as to enable it to enter into force as early as possible to facilitate accelerated development of maritime transport in the continent;

4. **ALSO REQUESTS** the Commission to facilitate the implementation of the African Maritime Transport Charter and the Durban Resolution on Maritime Safety, Maritime Security and Protection of the Environment within the framework of the 2009-2012 Strategic Plan of the African Union Commission;

5. **FURTHER REQUESTS** the Commission, in collaboration with the Regional Economic Communities (RECs), specialised institutions, Member States and other stakeholders to take all the necessary measures to speed up the implementation of the Maritime Transport Plan of Action with a view to developing a cost-effective, safe, secure and clean maritime transport industry in Africa;

6. **URGES** Member States, RECs and Specialised Agencies to participate effectively in the implementation of the African Maritime Transport Charter and the Durban Resolution on Maritime Safety, Maritime Security and Protection of the Environment;

7. **APPEALS** to development partners including the United Nations Economic Commission for Africa; the African Development Bank, the European Union, the World Bank and others to support the implementation of the African Union Maritime Transport Plan of Action;

8. **REQUESTS** the Commission to submit periodic reports on the implementation of this Decision to the Executive Council.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE THIRD SESSION OF THE AFRICAN UNION CONFERENCE OF MINISTERS OF SPORTS (CAMS3)
Doc. EX.CL/557(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Third Ordinary Session of the African Union Conference of Ministers of Sports (CAMS 3), held in Abuja, Nigeria, from 12 to 16 October 2009 and the recommendations contained therein;

2. **ENDORSES** the recommendations of CAMS 3, in particular, the following:
   i) A new Architecture for African Sports, consisting of the current Conference of Ministers of Sports (CAMS) and its Bureau to provide political leadership in the domain of sports, and a Sports Advisory Board with Technical Committees to prepare issues for discussion and decision for the CAMS meetings;

   ii) The Commission should conduct further studies regarding the integration of the functions of Supreme Council for Sports in Africa (SCSA) into the Commission, including the transitional mechanism and the current financial situation relating to SCSA and submit the outcome to the Permanent Representatives Committee (PRC) through the relevant Sub-Committees, including the Structures Sub-Committee; and the Sub-Committee on Administrative, Budgetary and Financial Matters;

   iii) Dissolution of the SCSA to be concluded after the next All Africa Games to be held in Mozambique, in 2011.

3. **URGES** Member States to pay their contributions and arrears to the SCSA in order for SCSA to fulfill its financial obligations before its dissolution, and **DECIDES** that the Commission should be fully involved in the dissolution programme for SCSA;

4. **WELCOMES** the Report by the Republic of South Africa on the progress towards hosting the 2010 FIFA World Cup event and **CALLS ON** Member States to participate and fully support South Africa in this regard;

5. **DECIDES** that the theme for Africa Day 2010 should be *"Building and Maintaining Peace through Sports in Africa";*

6. **FURTHER CALLS ON** Member States to fully support the African participating teams from Algeria, Cameroon, Cote d'Ivoire, Ghana, Nigeria and South Africa;

7. **CONGRATULATES** the Republic of Ghana for winning the Under-20 FIFA World Cup, the Arab Republic of Egypt and the Federal Republic of Nigeria for

successfully hosting the Under-20 and Under-17 FIFA World Cup events, respectively; and the Republic of Angola for successfully hosting the 27th African Cup of Nations;

8. **WELCOMES** the offer by the Arab Republic of Egypt to host the Fourth Session of the CAMS in 2011;

9. **RECOMMENDS** that the dates of the final phase of the World Cup scheduled to take place in South Africa in 2010 be taken into account in fixing the dates of the next African Union Summit in June/July 2010;

10. **REQUESTS** the Commission to follow up on the implementation of the outcomes of CAMS 3 and report thereon to the next Ordinary Session of the Executive Council in July 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE SEVENTH SESSION OF THE AFRICAN POPULATION COMMISSION

The Executive Council,

1. **TAKES NOTE** of the Report of the Seventh Session of the African Population Commission (APC) held in Addis Ababa, Ethiopia on 22 October 2009 on the margins of the 15th Year Review of the International Conference on Population and Development (ICPD+15);

2. **WELCOMES** the launching by the Commission of the 3rd Edition of the State of African Population Report 2008 under the theme "Population Dynamics and Climate Change: Implication for Africa's Sustainable Development";

3. **CALLS UPON** Member States, in collaboration with relevant partners, to mainstream population dynamics and climate change into national development programmes;

4. **REQUESTS** the Commission to follow up on the implementation of the recommendations of the Seventh Session of the APC and to report on a regular basis to the Executive Council.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE EXTRAORDINARY SESSION OF THE AFRICAN UNION CONFERENCE OF MINISTERS IN CHARGE OF COMMUNICATION AND INFORMATION TECHNOLOGIES (CITMC) DOC. EX.CL.559(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Extraordinary Conference of Ministers in charge of Communication and Information Technologies and the recommendations contained therein, held in Johannesburg, South Africa on 5 November 2009;

2. **ENDORSES** the recommendations of the Extraordinary Conference of Ministers in charge of Communication and Information Technologies;

3. **WELCOMES AND SUPPORTS** the Oliver Tambo Declaration and the establishment of mechanisms to accelerate and monitor the implementation of the African Regional Action plan for Knowledge Economy (ARAPKE), the reference framework for Harmonization of Telecommunication/ICT Policies and Regulations in Africa, and the strategies and action plan for the development of the postal sector in Africa;

4. **STRONGLY SUPPORTS** the integration of ICTs into National Imperative Programmes including Education and Training Systems and the public administration with a view to produce a critical mass and increase skilled human capital as well as promote access to and use of ICTs;

5. **ALSO SUPPORTS** that ICT policies be mainstreamed in other sectors at national, regional and continental levels;

6. **REQUESTS** the Commission to promote:

   i) Development of a biennial ICT outlook in order to facilitate the evidence based policy formulation, peer review evaluation and ensure better utilization of the resources for the development of the sector;

   ii) Development of standards and guidelines for African Postal Services and Strategies to promote the utilization of ICT for the sector development;

   iii) A massive penetration and use of ICTs into local communities using African languages including codification programs to fit into IT standards, and encourage the development of African Content-based applications to give them rightful place in the information society.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

iv) Development of a common definition, understanding, concept and guidelines on open access, in coordination with relevant stakeholders.

v) Better utilization and management of Critical Internet Resources;

vi) Research and development in the ICT sector.

7. **URGES** Member States, the Commission, United Nations Economic Commission for Africa (UNECA), the International Telecommunication Union (ITU), Regional Economic Communities (RECs) and specialized institutions in coordination with all other African ICT stakeholders to establish appropriate institutional arrangements and mechanisms to interconnect ICT backbones including national and regional Internet Exchange Points within Africa and the rest of the world with objective of lowering the tariffs and providing better quality of service;

8. **INVITES** Ministers in charge of Communication and Information Technologies and Ministers of Finance to work in close cooperation at the national level, in order to identify innovative funding mechanisms to enable Member States to increase national budget allocation for mainstreaming ICTs in all sectors and also contribute to the African Union Communication and Information Technologies Fund as established by Executive Council Decision EX.CL/434 (XIII) in Sharm El-Sheikh, in June 2008;

9. **ENCOURAGES** South-South and North-South cooperation in the sector of Communication and Information Technologies and to enhance its role in international partnerships;

10. **REQUESTS** the Commission to follow up on the implementation of this Decision and to report to the next Ordinary Session of the Assembly, through the Executive Council in July 2011.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE SECOND AFRICAN UNION CONFERENCE OF MINISTERS RESPONSIBLE FOR HYDROCARBONS (OIL & GAS)
Doc. EX.CL/563(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Second African Union Conference of Ministers Responsible for Hydrocarbons (Oil & Gas), held in Addis Ababa, Ethiopia, from 9 to 11 December 2009;

2. **FURTHER TAKES NOTE** of the joint studies undertaken and successfully completed by the Commission and the African Development Bank, on the impact of the high oil prices on the African economies and the operational modalities for the establishment of the African Petroleum Fund;

3. **ENDORSES** the Declaration and the Road Map on the operationalization of the African Petroleum Fund that were adopted by the Ministerial Conference on 11 December 2009;

4. **DECIDES** that the contributions from Member States and the oil companies doing business in Africa to the resources of the African Petroleum Fund shall be voluntary;

5. **CALLS UPON** the bilateral and multilateral development partners, as well as other institutions to contribute to the resources of the Fund;

6. **REQUESTS** the Commission in collaboration with other stakeholders to take all the necessary measures and modalities to facilitate and speed up the operationalization of the African Petroleum Fund;

7. **ALSO REQUESTS** the Commission to submit periodic reports on the implementation of this Decision to the Executive Council.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE FOURTH ORDINARY SESSION OF THE CONFERENCE OF MINISTERS OF EDUCATION OF THE AFRICAN UNION (COMEDAF IV)
Doc. EX.CL/562(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Fourth Ordinary Session of the Conference of Ministers of Education of the African Union (COMEDAF IV) held in Mombasa, Kenya, from 22 to 26 November 2009;

2. **WELCOMES** the support by partner agencies in the implementation of the Plan of Action for the Second Decade of Education for Africa;

3. **FURTHER WELCOMES** the progress made towards establishment of the Pan African University;

4. **CALLS UPON** Member States, the Commission and the Regional Economic Communities to expedite implementation of the recommendations of COMEDAF IV;

5. **REQUESTS** the Commission to follow up on the implementation of this Decision and to report thereon to the Session of the Executive Council in January 2011.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE TWENTY-SEVENTH ACTIVITY REPORT OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
Doc. EX.CL/575(XVI)

The Executive Council,

1. **TAKES NOTE** of the Twenty-seventh Activity Report of the African Commission on Human and Peoples' Rights (ACHPR);

2. **RECOMMENDS** to the Fourteenth Ordinary Session of the Assembly to:

   i) **ADOPT** and **AUTHORIZE**, in accordance with Article 59 of the African Charter on Human and Peoples' Rights (the African Charter), the publication of the Twenty-Seventh Activity Report of the ACHPR and its Annexes;

   ii) **REITERATE** its commitment to allocate adequate resources from its regular budget to the ACHPR as provided for in Article 41 of the African Charter to enable the ACHPR effectively and independently discharge its mandate under the Charter;

   iii) **REITERATE** its previous Decision EX.CL/Dec.529 (XV) that the African Union (AU) Commission, in consultation with the Permanent Representatives Committee (PRC), expedite the review of the honorarium and allowances of the Members of ACHPR in accordance with the Financial Rules and Regulations of the African Union;

   iv) **FURTHER REITERATE** its request to the ACHPR to finalize consideration of its Rules of Procedure, taking into account the comments of the various stakeholders, and ensuring that they are consistent with the African Charter and other AU legal instruments;

   v) **REITERATE** as well its **REQUEST** that ACHPR identify possible ways to overcome financial and human resources shortcomings in the functioning of their communications handling system, and report on the implementation of this Decision to the next Ordinary Session of the Executive Council in January 2011;

   vi) **WELCOME** the good work done by the ACHPR in the promotion and protection of human and peoples' rights, and **REQUEST** that it continues to pursue and intensify its efforts in this regard.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON ALTERNATIVE SOURCES OF FINANCING THE AFRICAN UNION
Doc. EX.CL/564(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Second Extraordinary Conference of African Ministers of Economy and Finance (CAMEF), held in Addis Ababa, Ethiopia on 17 December 2009;

2. **REQUESTS** the Commission to deepen the study on alternative sources of financing in order to better take into account the legal, financial, administrative, institutional and economic aspects as part of the evaluation of the different options proposed;

3. **ALSO REQUESTS** the Commission to elaborate a questionnaire to facilitate and harmonize the process for the collection of comments and observations of Member States on the study;

4. **INVITES** Member States to submit to the Commission, their comments and observations on the study after receiving the questionnaire, before June 2010, so as to enable the Commission to finalize the revised study and present it at the next Extraordinary Session of CAMEF, scheduled to be held in November 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE ANNEXES TO THE STATUTES OF THE AFRICAN INVESTMENT BANK Doc.EX.CL/564(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Second Extraordinary Conference of African Ministers of Economy and Finance held in Addis Ababa, Ethiopia on 17 December 2009;

2. **APPROVES** the Annexes to the Statutes of the African Investment Bank (AIB) including the selection of scenario B, as amended on the distribution of capital and voting rights of the AIB among Member States, and the choice of Special Drawing Rights (SDRs) of the International Monetary Fund as unit of account of the AIB, until the creation of the African single currency;

3. **RECOMMENDS** the submission of these Annexes to the Assembly for consideration and adoption;

4. **URGES** Member States to speed up the signing and ratification of the Protocol and Statutes of the African Investment Bank.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON MICROFINANCE
Doc. EX.CL/564(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Second Extraordinary Conference of African Ministers of Economy and Finance held in Addis Ababa, Ethiopia on 17 December 2009;

2. **ENDORSES** the Decision of the Ministers to adopt a Guideline Document on the development of microfinance in Africa;

3. **URGES** Member States to implement the Guideline Document.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE REPORT OF THE ACTIVITIES OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS DOC. EX.CL/576(XVI)

The Executive Council,

1. **TAKES NOTE** of the Activity Report of the African Court on Human and Peoples' Rights for the year 2009;

2. **ALSO TAKES NOTE** of the work accomplished by the Court in the year 2009, particularly in Judicial Matters;

3. **CALLS ON** Member States which have not yet done so, to ratify the Protocol establishing the Court and to make the declaration accepting the jurisdiction of the Court to receive applications directly from individuals and Non-Governmental Organizations in compliance with the Protocol establishing the Court.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON ELECTION OF THE MEMBERS OF THE PEACE AND SECURITY COUNCIL OF THE AFRICAN UNION DOC. EX.CL/578(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of the Members of the Peace of Security Council of the African Union;

2. **ELECTS** the following five (5) Members of the Peace and Security Council for a three-year term as of 1 April 2010:

Equatorial Guinea	Central Region
Kenya	Eastern Region
Libya	Northern Region
Zimbabwe	Southern Region
Nigeria	Western Region

3. **ALSO ELECTS** the following ten (10) Members of the Peace and Security Council for a two-year term as of 1 April 2010:

Burundi Chad	Central Region
Djibouti Rwanda	Eastern Region
Mauritania	Northern Region
Namibia South Africa	Southern Region
Benin Cote d'Ivoire Mali	Western Region

4. **RECOMMENDS** the elected Members for appointment by the Fourteenth Ordinary Session of the Assembly.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON AFRICAN CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM
Doc. EX.CL/577(XVI)

The Executive Council,

1. **TAKES NOTE** of the Report of the Ministerial Committee on Candidatures;

2. **APPROVES** the recommendations contained therein;

3. **DECIDES** to amend the Executive Council's Decision **EX.CL/Dec.345 (X)** to permit the early consideration of certain candidatures, within the year of elections, so that they can have a longer period of time to campaign regionally, continentally and internationally, in order to have a better chance to win the seat or the position.

4. **ENDORSES** the following Candidature:

   a. Mrs. Mona Zulficar of Egypt for re-election to the membership of the Advisory Committee of the United Nations Human Rights Council, during the elections to be held at the Thirteenth Session of the Human Rights Council in March 2010 in Geneva, Switzerland.

5. **ALSO ENDORSES** the following candidatures:

   i. The candidature of the Great Socialist People's Libyan Arab Jamahiriya for membership of the United Nations Human Rights Council during the elections to be held in May 2010 in New York, USA;

   ii. The candidature of Mauritania for the second allocated seat to the North African Region to the United Nations Human Rights Council during the elections to be held in May 2010 in New York, USA;

   iii. Ambassador Agnes Kalibbala of Uganda for non-elective position of Under Secretary/Executive Director of UN HABITAT during the selection to be made by the UN Secretary General in New York in April 2010.

6. **ENDORSES** the following candidatures:

   i) The candidature of Dr. M.Z. Madjodina of South Africa for re-election to the United Nations Human Rights Committee during the elections to be held at the Conference of the State Parties to the International Convenant on Civil and Political Rights (ICCPR), scheduled to take place in September 2010 New York, USA.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

ii) The candidatures of Tanzania, Tunisia and Nigeria to the Board of the Governors of the International Atomic Energy Agency (IAEA) scheduled to take place in September 2010 at the 54th Session of the General Conference in Vienna, Austria.

iii) The candidature of Burkina Faso to the Council of the International Telecommunications Union (ITU) at the Plenipotentiary Conference scheduled to take place in October 2010 in Veracruz, Mexico.

7. **ENDORSES** the candidature of South Africa for the non-permanent membership in the United Nations Security Council for the period 2011-2012, during the elections to be held in New York, USA in October 2010.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010

DECISION ON THE SITUATION IN PALESTINE AND THE MIDDLE EAST
Doc. EX.CL/571(XVI)

The Executive Council,

1- **TAKES NOTE** of the Report on the Situation in the Middle East and Palestine; and **RECALLS** all resolutions and decisions adopted by the OAU/AU on the Situation in Palestine and the Middle East;

2- **REITERATES** its full support for the legitimate struggle of the Palestinian people against Israeli Occupation under the leadership of the Palestine Liberation Organization (PLO), their sole and legitimate representative, to obtain their inalienable national rights, including their right to self-determination, return to their homeland and to their property, and to live in peace and stability in an Independent Palestinian State with Al-Quds Al-sharif (Jerusalem) as its capital, in accordance with the principles of International law, all relevant United Nations (UN) Resolutions, particularly UN Security Council (UNSC) resolution 194, which calls for the return of all Palestinian Refugees to their homeland and properties, and all relevant resolutions and decisions of the OAU/AU;

3- **REAFFIRMS** its support for a peaceful solution of the Arab-Israeli conflict on the basis of the principles of the international law and all relevant UN resolutions; and **CALLS UPON** Israel to end its occupation of the Palestinian and Arab States territories;

4- **STRESSES** the need for the UNSC to assume its major responsibilities under the UN Charter, and calls on the UN to exercise its role in maintaining international peace and security in order to achieve a comprehensive, just and lasting peace in the Middle East;

5- **EXPRESSES** its deep concern about the positions of the Israeli Occupying Authorities and its refusal to accept international efforts aiming at reaching the two States solution with establishing the Independent Palestinian State with AL-Quds Al-Sharif (Jerusalem) as its capital; and **CALLS UPON** the Israeli Occupying Authorities to fulfil their obligations and to move forward in the peace process on the basis of resolutions on international legitimacy, signed agreements, and the principle of land for peace;

6- **STRONGLY CONDEMNS** the Israeli siege imposed on AL-Quds Al-Sharif (Jerusalem) and Al-Aqsa Mosque and **URGES** Israel to halt all settlement activities around the sacred city, and the preservation of the status of AL-Quds Al-Sharif (Jerusalem) as well as of all Islamic and Christian holy places;

7- **FURTHER STRONGLY CONDEMNS** the Israeli brutal practices and repressive measures against Palestinian citizens in the Occupied Palestinian territory, including AL-Quds Al-Sharif (Jerusalem), **URGES** Israeli Occupying Authorities to stop these serious violations immediately; and **CALLS UPON** the international community to exert pressure on Israeli Occupying Authorities to abide to International and Humanitarian Laws;

8- **WELCOMES** the report of Goldstone Doc. A/HRC/12/48; **HOLDS** Israel responsible for war crimes and violations of international law and international humanitarian law in the Occupied Palestinian Territory, and **CALLS UPON** the international community to prosecute those responsible for these crimes and bring them to international courts and tribunals;

9- **DENOUNCES** the Israeli rejection to a peaceful, comprehensive, just and lasting solution to the ongoing conflict in the Middle East; and **CALLS UPON** Israeli Occupying Authorities to accept the international efforts aiming at reaching the two States solution with establishing the Independent Palestinian State with Al-Quds Al-Sharif (Jerusalem) as its capital, and to respond immediately to the demands of the international community;

10- **ENCOURAGES** its full support to the tireless efforts aimed at putting an end to division in the Palestinian ranks and to strengthen the Palestinian national unity, in order to ensure the geographical and political unity of the Palestinian territories; **REITERATES** its support for the leadership of the Palestinian National Authority (PNA); and **COMMENDS** the Presidential decision issued by the President of the Executive Committee of PLO to launch the Presidential and Legislative elections;

11- **REITERATES** its deep appreciation for the tireless efforts made by President Mahmoud Abbas for the achievement of comprehensive, just and lasting peace in the Middle East, and his commitment to the Palestinian National's principles that proposed for an immediate and complete halt of the Israeli settlement in the Occupied Palestinian Territory, including Al-Quds Al-Sharif (Jerusalem), and the need to resume the Palestinian-Israeli negotiations from the point at which they stopped with the previous Israeli Government;

12- **TAKES NOTE** of the position taken by U.S. President Barack Obama, his engagement in serious efforts for peace in the Middle East, and his demand of the complete cessation of settlement in the Occupied Palestinian Territory and the two States solution; with establishing the sovereign Independent Palestinian State with AL-Quds Al-Sharif (Jerusalem) as its capital; and **URGES** President Barak Obama and the U.S. administration to continue this approach;

13- **FOLLOWS WITH DEEP CONCERN** the worsening humanitarian situation and increasing sanitary and economic deterioration in the Occupied Palestinian

Territory, due to the constant siege imposed on Gaza Strip, ongoing daily Israeli invasions, restrictions on the movement of persons and constant closures and blockades of the Palestinian commercial crossing points with neighbouring countries; and **URGES** the Israeli Occupying Authorities remove it immediately and without delay, to allow the humanitarian assistances and construction materials to reach to People, and to re-open all crossing points in order to start the reconstruction and rehabilitation;

14- **EXPRESSES GRAVE CONCERN** over the deterioration of the living and health conditions of Palestinian prisoners and detainees in Israeli Jails; **DENOUNCES AND CONDEMNS** all Israeli inhuman practices against prisoners and detainees; and **DEMANDS** the Israeli Government to release all prisoners and captives from the jails of the Israeli Occupying Authorities;

15- **REITERATES** that the just and comprehensive peace can be achieved only through complete Israeli withdrawal from Occupied Palestinian and Arab States territories up to the boarders of the 4th June 1967, including the Occupied Syrian Golan and the lands still occupied in southern Lebanon, and through the two States solution with establishing the sovereign Independent Palestinian State with Al-Quds Al-Sharif (Jerusalem) as its capital, in accordance with the Arab Peace Initiative;

16- **CALLS UPON** the African Union Committee of Ten (10) Member States on Palestine, in consultation with other AU Member States in order to develop an action plan to move across the international bodies and organizations in the effort to enforce its resolutions on Palestine and the Middle East.

Adopted by the Sixteenth Ordinary Session of the Executive Council in Addis Ababa, Ethiopia on 1 February 2010